

Washington, Thursday, July 7, 1960

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Rules and Regulations

Title 7—AGRICULTURE

Chapter IX-Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Valencia Orange Reg. 203, Amdt. 1]

PART 922 - VALENCIA ORANGES GROWN IN ARIZONA AND DES-**IGNATED PART OF CALIFORNIA**

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recom-mendation and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237: 5 U.S.C. 1001 et seg.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 922.503 (Valencia Orange Regulation 203, 25 F.R. 5873) are hereby amended to read as follows:

(ii) District 2: 475,000 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C.

Dated: July 1, 1960.

G. R. GRANGE, Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-6230; Filed, July 6, 1960; 8:49 a.m.1

[Nectarine Order 6]

PART 937—NECTARINES GROWN IN CALIFORNIA

Limitation of Shipments

§ 937.322 Nectarine Order 6.

(a) 'Findings. (1) Pursuant to the marketing agreement and Order No. 37 (7 CFR Part 937) regulating the handling of nectarines grown in the State of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations of the Nectarine Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of nectarines of the varieties hereinafter set forth, and in the manner herein provided, will tend to effectuate the de-

clared policy of the act. (2) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001 et seq.) in that, as hereinafter set forth, the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than the date hereinafter specified. A reasonable determination as to the supply of, and the demand for, such nectarines must await the development of the crop thereof, and adequate information thereon was not available to the Nectarine Administrative Committee until the date hereinafter set forth on which an open meeting was held, after giving due notice thereof, to consider the need for, and the extent of, regulation of shipments of such nectarines. Interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; shipments of the current crop of such nectarines are expected to begin on or about the effective date hereof; this section should be applicable to all such shipments in order to effectuate the declared policy of the act; the provisions of this section are identical with the aforesaid recommendation of the committee: and information concerning such provisions and effective time has been disseminated among handlers of such nectarines and compliance with the provisions of this section will not require of handlers any preparation therefor which cannot be completed by the effective time hereof. Such committee meeting was held on July 1, 1960.

(b) Order. (1) During the period beginning at 12:01 a.m., P.s.t., July 8, 1960, and ending at 12:01 a.m., P.s.t., November 1, 1960, no handler shall handle any package or container of Red Grand, Freedom, Le Grand, Golden Grand, Marigold, Grandeur, Late Le Grand, Gold King, or Golden Free nectarines unless:

(i) Such nectarines, when packed in a No. 26 standard lug box, or in a No. 27 standard lug box, are of a size that will pack, in accordance with the requirements of a standard pack, not more than 88 nectarines in the respective lug box;

(ii) Such nectarines, when packed in any container other than in a No. 26 standard lug box, or in a No. 27 standard lug box, measure not less than two and one-quarter (21/4) inches in diameter: Provided, That not to exceed ten (10) percent, by count, of the nectarines in any such container may fail to meet such diameter requirement.

(2) When used herein, "diameter" and "standard pack" shall have the same meaning as set forth in the United States Standards for Nectarines (§§ 51.3145 to 51.3159 of this title); "standard basket" shall mean the standard basket set forth in paragraph 1 of section 828.1 of the Agricultural Code of California; "No. 26 standard lug box," and "No. 27 standard lug box," respectively, shall have the same meaning as set forth in section 828.4 of the Agricultural Code of California, and all other terms shall have the same meaning as when used in the marketing agreement and order.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 6, 1960.

FLOYD F. HEDLUND, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-6359; Filed, July 6, 1960; 11:08 a.m.]

[959.318]

PART 959-IRISH POTATOES GROWN IN MODOC AND SISKIYOU COUN-TIES IN CALIFORNIA AND IN ALL COUNTIES IN OREGON EXCEPT MALHEUR COUNTY

Limitation of Shipments

Findings. (a) Marketing Agreement No. 114, as amended, and Order No. 59,

as amended (7 CFR Part 959), effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), provide methods for limiting the handling of potatoes grown in the production area defined therein through the issuance of regulations authorized in Sections 959.1 through 959.88, inclusive, of the order. The Oregon-California Potato Committee, pursuant to § 959.51 of the order, has recommended that regulations limiting the handling of 1960 crop potatoes should be issued. The recommendations of the committee and information submitted by it, with other available information, have been considered and it is hereby found that the regulations hereinafter set forth will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the Federal Register (5 U.S.C. 1001-1011) in that (1) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient. (2) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (3) compliance with this section will not require any special preparation on the part of handlers which cannot be completed by the effective date, (4) reasonable time is permitted, under the circumstances, for such preparation, and (5) information regarding the committee's recommendations has been made available to producers and handlers in the production area.

§ 959.318 Limitation of shipments.

During the period from July 11, 1960, through October 10, 1960, no person shall handle any lot of potatoes unless such potatoes meet the requirements of paragraphs (a) and (b) of this section, or unless such potatoes are handled in accordance with paragraphs (c), (d), (e), and (f) of this section.

- (a) Minimum quality requirements—
 (1) Grade. All varieties—U.S. No. 2, or better grade. (2) Size. All varieties—
 1% inches minimum diameter.
- (b) Minimum maturity requirements.
 (1) All varieties: "Moderately skinned" which means that not more than 10 percent of the potatoes in any lot may have more than one-half of the skin missing or "feathered."
- (2) Not to exceed a total of 100 hundredweight of any variety of a lot of potatoes may be handled for any producer any seven consecutive days without regard to the aforesaid maturity requirements. Prior to each shipment of potatoes exempt from the above maturity requirements, the handler thereof shall report to the Committee the name and address of the producer of such potatoes, and each such shipment

shall be handled as an identifiable entity.

- (c) Special purpose shipments. (1) The minimum grade, size, and maturity requirements set forth in paragraphs (a) and (b) of this section shall not be applicable to shipments of potatoes for any of the following purposes:
 - (i) Certifled seed.
- (ii) Livestock feed or grading and storing: Provided, That potatoes may not be shipped for such purposes outside of the district where grown except that potatoes grown in District No. 2 or District No. 4 may be shipped for grading and storing or for livestock feed within, or to, such districts for such purposes.
 - (iii) Charity.
 - (iv) Starch.
 - (v) Canning or freezing.
- (2) The minimum grade, size, and maturity requirements set forth in paragraphs (a) and (b) of this section shall be applicable to shipments of potatoes for each of the following purposes:
- (i) Dehydration: Provided, That potatoes of a size not smaller than 1½ inches in diameter may be shipped if at least 85 percent of the potatoes grade not less than U.S. No. 1.
- (ii) Export: *Provided*, That Size B potatoes may be shipped if they meet the requirements of the U.S. No. 1, or better, grade.
- (iii) Potato chipping: Provided, That potatoes which fail to meet the requirements of paragraphs (a) and (b) of this section because of damage from shriveling or sprouting caused by the conditioning of the potatoes for potato chipping may be shipped: Provided further, That potatoes which have been conditioned for use for potato chipping and from which both ends are clipped or from which more than one-fourth of the potato has been cut away may be shipped if the remaining portion weighs 6 ounces or more and if such potatoes otherwise meet the applicable grade requirements: Provided further, That potatoes which by clipping second growth could be made to meet the aforesaid grade and size requirements may be shipped without such clipping.

(iv) Hash browns or potato salad: *Provided*, That Size B potatoes may be shipped if they meet the requirements of the U.S. No. 1, or better, grade.

- (d) Safeguards. (1) Each handler making shipments of certified seed pursuant to paragraph (c) shall pay assessments on such shipments and shall furnish the committee with either a copy of the applicable certified seed inspection certificate or shall apply for and obtain a Certificate of Privilege and, upon request of the committee, furnish reports of each shipment made pursuant to each Certificate of Privilege.
- (2) Each handler, making shipments of potatoes for canning, freezing, dehydration, export, potato chipping, or for use in hash browns or potato salad, pursuant to paragraph (c) of this section shall:
- (i) First, apply to the committee for and obtain a Certificate of Privilege to make such shipments.
- (ii) Pay assessments on such shipments, except shipments for canning or freezing.

(iii) Have such shipments inspected, except shipments for canning or freezing.

(iv) Upon request by the committee furnish reports of each shipment made pursuant to each Certificate of Privilege.

- (v) At the time of applying to the committee for a Certificate of Privilege, or promptly thereafter, furnish the committee with a receiver's or buyer's certification that the potatoes so handled are to be used only for the purpose stated in such application and that such receiver will complete and return to the committee such periodic receivers' reports that the committee may require.
- (vi) Mail to the office of the committee a copy of the bill of lading for each Certificate of Privilege shipment promptly after date of such shipment.

(vii) Bill each shipment directly to the applicable processor or receiver.

(e) Minimum quantity exception. Each handler may ship up to, but not to exceed, 5 hundredweight of potatoes any day without regard to the inspection and assessment requirements of this part, but this exception shall not apply to any portion of a shipment of over 5 hundredweight of potatoes.

(f) Inspection. For the purpose of operation under this part, and unless exempted from inspection by the provisions of this section, each required inspection certificate is hereby determined, pursuant to \$959.60(c), to be valid for a period of not to exceed 14 days following completion of inspection as shown on the certificate. The period of validity of an Inspection Certificate covering inspected and certified potatoes that are stored in refrigerated storage within 14 days of the inspection shall be the entire period such potatoes remain in such storage.

(g) Definitions. The terms "moderately skinned," "U.S. No. 1," "U.S. No. 2," and "Size B" shall have the same meaning as when used in the United States Standards for Potatoes (§§ 51.1540-51.1556 of this title), including the tolerances set forth therein. Other terms used in this section shall have the same meaning as when used in Marketing Agreement No. 114, as amended, and this part.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: July 1, 1960, to become effective July 11, 1960.

G. R. Grange, Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 60-6263; Filed, July 6, 1960; 8:54 a.m.]

[Milk Order 116]

PART 1016—MILK IN NORTHEAST-ERN WISCONSIN MARKETING AREA

Order Amending Order

§ 1016.0 Findings and determination.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

- (a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Northeastern Wisconsin marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:
- The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;
- (2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;
- (3) The said order as hereby amended regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.
- (4) All milk and milk products handled by handlers, as defined in the order as hereby amended, are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in milk or its products; and
- (5) It is hereby found that the necessary expense of the market administrator for the maintenance and functioning of such agency will require the payment by each handler, as his pro rata share of such expense, 5 cents per hundredweight or such amount not to exceed 5 cents per hundredweight as the Secretary may prescribe with respect to (a) all receipts within the month of milk from producers, including milk of such handler's own production; (b) any other source milk allocated to Class I pursuant to § 1016.46(b) and the corresponding step of § 1016.47, and (c) the applicable amount specified in § 1016.83 (a)(2) or (b)(2).
- (b) Additional findings. It is necessary in the public interest to make this order amending the order effective not later than July 1, 1960. Any delay beyond that date would tend to disrupt the orderly marketing of milk.

The provisions of the said order are known to handlers. The recommended decision of the Deputy Administrator of the Agricultural Marketing Service was issued May 20, 1960, and the decision of

- the Assistant Secretary containing all amendment provisions of this order, was issued June 13, 1960. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In the interest of the orderly marketing of milk, it is hereby found and determined that good cause exists for making this order amending the order effective July 1, 1960, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the Federal Register. (See sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)
- (c) Determinations. It is hereby determined that:
- (1) The refusal or failure of handlers (excluding cooperative associations specified in section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;
- (2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and
- (3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area. The required two-thirds of producers who participated in a referendum did not favor the issuance of this amended order. Therefore, the Assistant Secretary on June 20 (25 F.R. 5705) issued a notice of intention to terminate the order which gave interested parties an opportunity to submit views as to why the order should not be terminated. As a result of a resolution approving the amending order received from a cooperative association which voted negatively in the referendum, it has now been determined that more than two-thirds of all the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area favor the issuance of the amending order. In view of such determination, the "Notice of Intention to Terminate the Order" signed by the Assistant Secretary dated June 20, 1960, is hereby withdrawn and revoked.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Northeastern Wisconsin marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended and the aforesaid order is hereby amended as follows:

- 1. Delete § 1016.5 (e), (f) and (h); delete the word "and" and replace the semicolon with a period, both at the end of § 1016.5(g); renumber such paragraph (g) as (f); and add immediately prior thereto a new paragraph (e) as follows:
- (e) Forest County and Oconto County (exclusive of the Menominee Indian Reservation), Wisconsin; and

- 2. Delete from § 1016.8(b) the word "August" and substitute "July"; delete from the same paragraph the word "July" and substitute "June".
- 3. Substitute a colon for the period at the end of the second sentence in § 1016.10(a) and add the following proviso: "Provided, That for each of the months of July through November diversion of the milk of any such person shall be limited to 10 days (5 days in the case of every-other-day delivery)."
- 4. Delete § 1016.43(c) and substitute therefor the following:
- (c) A nonpool plant (except as specified in paragraph (b) of this section) shall be Class I utilization, unless the following conditions and the conditions of paragraph (d) of this section are met:
- (1) Utilization in another class is claimed by the transferor-handler in his report submitted pursuant to § 1016.30 for the month;
- (2) The operator of the nonpool plant has utilization of an equivalent amount of skim milk and butterfat remaining in the class of use claimed in subparagraph (1) of this paragraph after the prior deduction in sequence beginning with the lowest-priced available class of use of any receipts thereat during the month of skim milk or butterfat, respectively, from plants not regulated under the provisions of any Federal marketing agreement or order; and
- (3) The operator of the nonpool plant maintains books and records which are adequate for the verification of such utilization and are made available if requested by the market administrator.
- (d) The classification of any skim milk or butterfat for which a claim of use is made under paragraph (c)(1) of this section shall be subject to the following further conditions:
- (1) If any skim milk or butterfat was disposed of from the nonpool plant in the form of bulk milk, skim milk, or cream to another nonpool plant(s), the market administrator shall determine the classification of such skim milk or butterfat at the nonpool plant where actually used or processed when necessary to support a claim made pursuant to paragraph (c)(1) of this section:
- (2) If Class I utilization at any nonpool plant at which classification of the pooled milk is made exceeds the receipts during the month from dairy farmers who constitute its regular source of Grade A milk, the transferred quantity shall be Class I to the extent of such excess: Provided, That (i) when, during the month, transfers to such nonpool plant have been made from regulated plants under more than one Federal marketing agreement or order, the amount of skim milk or butterfat so classified as Class I milk shall be a pro rata quantity based on the proportion of receipts at the nonpool plant from each of such regulated plants, and (ii) any amount of pooled milk remaining after the computation in (i) of this proviso shall be assigned in sequence to the available uses in the class claimed and any balance to the remaining uses in the noonpool plant; and
- (3) If Class I utilization at any nonpool plant at which classification of the

pooled milk is made does not exceed the receipts during the month from dairy farmers who constitute its regular source of Grade A milk, the transferred quantity which is in excess of the available uses in the class claimed under paragraph (c) (1) of this section shall be classified in other classses in sequence beginning with the next lowest-priced available class of use.

5. Delete from the introductory portion of § 1016.51 the phrase "during the 18 month period following the effective date of this part shall be" and substitute therefor the phrase "shall be as follows during the period through November 1961

6. In § 1016.50(b) (2) delete the words "delivery period" wherever they appear therein and substitute therefor the word "month".

7. Add the following after the cross-reference "\$ 1016.50(b)" at the end of § 1016.53: "plus 5 cents: Provided, That the resulting price shall not be higher than the Class II price."

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Issued at Washington, D.C., this 30th day of June 1960, to be effective on and after the first day of July 1960.

> CLARENCE L. MILLER, Assistant Secretary.

[F.R. Doc. 60-6231; Filed, July 6, 1960; 8:50 a.m.]

PART 1029—FRESH PRUNES GROWN IN DESIGNATED COUNTIES IN WASHINGTON AND IN UMATILLA COUNTY, OREGON

Order Regulating Handling Findings and determinations

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AUTHORITY: §§ 1029.0 to 1029.71, inclusive, issued under secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674.

§ 1029.0 Findings and determinations.

(a) Findings upon the basis of the hearing record. Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), and the applicable rules of practice and procedure, as amended, effective thereunder (7 CFR Part 900), a public hearing was held at Yakima, Washington, on March 2-3, 1960, and continued at Milton-Freewater, Oregon, on March 4, 1960, upon a proposed marketing agreement and a proposed marketing order regulating the handling of fresh prunes grown in designated counties in the State of Washington and in Umatilla County, Oregon. Upon the basis of the evidence introduced at such hearing, and the record thereof, it is found that:

(1) This order, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) This order regulates the handling of prunes grown in the production area in same manner as, and is applicable only to persons in the respective classes of commercial or industrial activity specifled in, a proposed marketing agreement upon which a hearing has been held;

(3) This order is limited in its application to the smallest regional production area which is practicable, consistently with carrying out the declared policy of the act, and the issuance of several orders applicable to subdivisions of the production area would not effectively carry out the declared policy of the act:

(4) This order prescribes, so far as practicable, such different terms applicable to different parts of the production area as are necessary to give due recognition to the differences in the production and marketing of prunes grown in the production area; and

(5) All handling of prunes grown in the production area as defined in the order is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

(b) Additional findings. It is hereby found on the basis hereinafter indicated that good cause exists for making the provisions of this order effective not later than the date of publication in the FEDERAL REGISTER; and that it would be contrary to the public interest to postpone such effective date until 30 days after publication (60 Stat. 237; 5 U.S.C. 1001-1011). As soon as practical after such effective time it will be necessary to establish the Washington-Oregon Fresh Prune Marketing Committee, the agency charged with administration of the program. Subsequently, and prior to imposition of regulations, it will be necessary for the committee and the Secretary to initiate, and complete, various actions of both organizational and regulatory natures, including the formulation and promulgation of rules and regulations to govern operations under the program. The shipments of prunes begin during the first half of August, and for all practical purposes the entire crop is shipped by mid-October. Hence, for the program to be of maximum benefit during the 1960-61 shipping season the order should be made effective as soon as practicable. The provisions of the order are well known to handlers of fresh prunes since the public hearing in connection with the order was completed March 4, 1960, and the recommended decision and the final decision were published in the Federal Register on April 26, 1960 (25 F.R. 3579), and May 27, 1960 (25 F.R. 4680), respectively. Copies of the regulatory provisions of this order were made available to all known interested parties; such provisions do not place any restrictions on handlers until regulations are issued thereunder and shipment of fresh prunes takes place; and, therefore, compliance with such provisions will not require advance preparation on the part of persons subject thereto which cannot be completed prior to the effective date of regulation pursuant hereto.

(c) Determinations. It is hereby determined that:

(1) A marketing agreement regulating the handling of fresh prunes grown in designated counties in Washington and in Umatilla County, Oregon, upon which the aforesaid public hearing was held, has been signed by handlers (excluding cooperative associations of producers who were not engaged in processing, distributing, or shipping the fresh prunes covered by this order) who, during the period beginning April 1, 1959, and ending March 31, 1960, both dates inclusive, handled not less than 50 percent of the volume of fresh prunes covered by this order; and

(2) The issuance of this order is favored or approved by at least two-thirds of the producers who participated in a referendum on the question of its approval and who, during the determined representative period (April 1, 1959, through March 31, 1960) were engaged. within the production area specified in this order, in the production of fresh prunes for market, such producers having also produced for market at least two-thirds of the volume of fresh prunes represented in such referendum.

It is, therefore, ordered, That, on and after the effective date hereof, the handling of prunes grown in the said production area shall be in conformity to, and in compliance with, the terms and conditions of this order; and such terms and conditions are as follows:

DEFINITIONS

§ 1029.1 Secretary.

"Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 1029.2 Act.

"Act" means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as re-enacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (sec. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674).

§ 1029.3 Person.

"Person" means an individual, partnership, corporation, association, or any other business unit.

§ 1029.4 Production area.

"Production area" means the Counties of Okanogan, Chelan, Kittitas, Yakima, and Klickitat in the State of Washington and all counties in Washington lying east thereof and Umatilla County in the State of Oregon.

§ 1029.5 Prunes.

"Prunes" means all varieties of plums, classified botanically as Prunus domestica, grown in the production area, except those of the President variety.

§ 1029.6 Varieties.

"Varieties" means and includes all classifications or subdivisions of prunes.

§ 1029.7 Fiscal period.

"Fiscal period" is synonymous with fiscal year and means the 12-month period ending on March 31 of each year or such other period that may be approved by the Secretary pursuant to recommendations by the committee.

§ 1029.8 Committee.

"Committee" means the Washington-Oregon Fresh Prune Marketing Committee established pursuant to § 1029.20.

§ 1029.9 Grade.

"Grade" means any one of the officially established grades of prunes as defined and set forth in the United States Standards for Fresh Plums and Prunes (§§ 51.1520-51.1537 of this title) or amendments thereto, or modifications thereof, or variations based thereon.

"Size" means the shortest dimension, measured through the center of the prune, at right angles to a line running from the stem to the blossom end, or such other specifications as may be established by the committee with the approval of the Secretary.

§ 1029.11 Grower.

"Grower" is synonymous with producer and means any person who pro-

proprietary interest therein.

§ 1029.12 Handler.

"Handler" is synonymous with shipper and means any person (except a common or contract carrier transporting prunes owned by another person) who handles prunes.

§ 1029.13 Handle.

"Handle" or "ship" means to sell, consign, deliver, or transport prunes within the production area or between the production area and any point outside thereof: Provided, That the term "han-dle" shall not include the transportation within the production area of prunes from the orchard where grown to a packing facility located within such area for preparation for market.

§ 1029.14 District.

"District" means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to § 1029.31(m):

(a) "District 1" shall include all of the production area except Walla Walla, Columbia, Garfield, and Asotin Counties in the State of Washington, and Umatilla County in the State of Oregon.

(b) "District 2" shall include the County of Umatilla in the State of Oregon and the Counties of Walla Walla, Columbia, Garfield, and Asotin in the State of Washington.

§ 1029.15 Export.

"Export" means to ship prunes to any destination which is not within the 48 contiguous States, or the District of Columbia, of the United States.

§ 1029.16 Pack.

"Pack" means the specific arrangement, size, weight, count, or grade of a quantity of prunes in a particular type and size of container, or any combination thereof.

§ 1029.17 Container.

"Container" means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of prunes.

ADMINISTRATIVE BODY

§ 1029.20 Establishment and membership.

There is hereby established a Washington-Oregon Fresh Prune Marketing Committee consisting of 9 members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Six of the members and their respective alternates shall be growers or officers or employees of corporate growers. Three of the members and their respective alternates shall be handlers, or officers or employees of handlers. The 6 members of the committee who are growers or employees or officers of corporate growers are hereinafter referred to as "grower members" of the committee; and the 3 members of the committee who shall be handlers, or officers or employees of handlers, are hereinafter referred to as "handler members" of the committee. Four of the grower members and their

duces prunes for market and who has a respective alternates shall be producers of prunes in District 1, and 2 of the grower members and their respective alternates shall be producers of prunes in District 2. Two of the handler members and their respective alternates shall be handlers of prunes in District 1, and 1 of the handler members and his respective alternate shall be handlers of prunes in District 2.

§ 1029.21 Term of office.

The term of office of each member and alternate member of the committee shall be for two years beginning April 1 and ending March 31: Provided, That the term of office of one-half the initial grower members and alternates from each district and one handler member and alternate from District 1 shall end March 31, 1961. Members and alternate members shall serve in such capacities for the portion of the term of office for which they are selected and have qualified and until their respective successors are selected and have qualified.

§ 1029.22 Nominations.

(a) Initial members. Nominations for each of the initial members of the committee, together with nominations for the initial alternate members for each position, may be submitted to the Secretary by individual growers and handlers. Such nominations may be made by means of group meetings of the growers and handlers concerned in each district. Such nominations, if made, shall be filed with the Secretary no later than the effective date of this part. In the event nominations for initial members and alternate members of the committees are not filed pursuant to, and within the time specified in, this section, the Secretary may select such initial members and alternate members without regard to nominations, but selections shall be on the basis of the representation provided for in § 1029.20.

(b) Successor members. (1) Except as may otherwise be prescribed pursuant to subparagraph (3) of this paragraph, the committee shall hold or cause to be held, not later than March 1 of each year, a meeting or meetings of growers and handlers in each district for the purpose of designating nominees for successor members and alternate members of the committee. At each such meeting a chairman and a secretary shall be selected by the growers and handlers eligible to participate therein. The chairman shall announce at the meeting the number of votes cast for each person nominated for member or alternate member and shall submit promptly to the committee a complete report concerning such meeting. The committee shall, in turn, promptly submit a copy of each such report to the Secretary.

(2) Only growers, including duly authorized officers or employees of corporate growers, who are present at such nomination meetings may participate in the nomination and election of nominees for grower members and their alternates. Each grower shall be entitled to cast only one vote for each nominee to be elected in the district in which he produces prunes. No grower shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes, such person may vote either as a grower or as a handler but not as both.

(3) Only handlers, including duly authorized officers or employees of handlers, who are present at such nomination meetings, may participate in the nomination and election of nominees for handler members and their alternates: Provided, That, in the event the committee determines that attendance at such nomination meetings is not representative of handlers generally, it may, with the approval of the Secretary, obtain nominations for handler members and their alternates by mail ballot. Each handler shall be entitled to cast only one vote for each nominee to be elected in the district in which he handles prunes, which vote shall be weighted by the volume of prunes handled by such handler during the then current fiscal year. No handler shall participate in the election of nominees in more than one district in any one fiscal year. If a person is both a grower and a handler of prunes. such person may vote either as a grower or as a handler but not as both.

§ 1029.23 Selection.

From the nominations made pursuant to § 1029.22, or from other qualified persons, the Secretary shall select the 6 grower members of the committee, the 3 handler members of the committee, and an alternate for each such member.

§ 1029.24 Failure to nominate.

If nominations are not made within the time and in the manner prescribed in § 1029.22, the Secretary may, without regard to nominations, select the members and alternate members of the committee on the basis of the representation provided for in § 1029.20.

§ 1029.25 Acceptance.

Any person selected by the Secretary as a member or as an alternate member of the committee shall qualify by filing a written acceptance with the Secretary promptly after being notified of such selection.

§ 1029.26 Vacancies.

To fill any vacancy occasioned by the failure of any person selected as a member or as an alternate member of the committee to qualify, or in the event of the death, removal, resignation, or disqualification of any member or alternate member of the committee, a successor for the unexpired term of such member or alternate member of the committee shall be nominated and selected in the manner specified in §§ 1029.22 and 1029.23. If the names of nominees to fill any such vacancy are not made available to the Secretary within a reasonable time after such vacancy occurs, the Secretary may fill such vacancy without regard to nominations, which selection shall be made on the basis of representation provided for in § 1029.20.

§ 1029.27 Alternate members.

An alternate member of the committee, during the absence or at the request of the member for whom he is an alternate, shall act in the place and stead of such member and perform such other duties as assigned. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor for such member is selected and has qualified. In the event both a member of the committee and his alternate are unable to attend a committee meeting, the member or the committee may designate any other alternate member from the same district and group (handler or grower) to serve in such member's place and stead.

§ 1029.30 Powers.

The committee shall have the following powers:

- (a) To administer the provisions of this part in accordance with its terms;
- (b) To receive, investigate, and report to the Secretary complaints of violations of the provisions of this part;
- (c) To make and adopt rules and regulations to effectuate the terms and provisions of this part; and
- (d) To recommend to the Secretary amendments to this part.

§ 1029.31 Duties.

The committee shall have, among others, the following duties:

- (a) To select a chairman and such other officers as may be necessary, and to define the duties of such officers;
- (b) To appoint such employees, agents, and representatives as it may deem necessary, and to determine the compensation and to define the duties of each:
- (c) To submit to the Secretary as soon as practicable after the beginning of each fiscal period a budget for such fiscal period, including a report in explanation of the items appearing therein and a recommendation as to the rate of assessment for such period;
- (d) To keep minutes, books, and records which will reflect all of the acts and transactions of the committee and which shall be subject to examination by the Secretary;
- (e) To prepare periodic statements of the financial operations of the committee and to make copies of each such statement available to growers and handlers for examination at the office of the committee;
- (f) To cause its books to be audited by a competent accountant at least once each fiscal year and at such time as the Secretary may request;
- (g) To act as intermediary between the Secretary and any grower or handler;
- (h) To investigate and assemble data on the growing, handling, and marketing conditions with respect to prunes;
- (i) To submit to the Secretary such available information as he may request;
- (j) To notify producers and handlers of all meetings of the committee to consider recommendations for regulations:
- (k) To give the Secretary the same notice of meetings of the committee as is given to its members;
- (1) To investigate compliance with the provisions of this part;
- (m) With the approval of the Secretary, to redefine the districts into which the production area is divided, and to reapportion the representation of any district on the committee: Provided,

That any such changes shall reflect, insofar as practicable, shifts in prune production within the districts and the production area.

§ 1029.32 Procedure.

- (a) Six members of the committee, including alternates acting for members, shall constitute a quorum; and any action of the committee shall require the concurring vote of at least 6 members: *Provided*, That any action relating to regulations authorized by §§ 1029.52 and 1029.53 which would be effective in District 2 shall require the concurring vote of at least 2 members from District 2.
- (b) The committee may provide for simultaneous meetings of groups of its members assembled at two or more designated places: Provided, That such meetings shall be subject to the establishment of communication between all such groups and the availability of loud speaker receivers for each group so that each member may participate in the discussions and other actions the same as if the committee were assembled in one place. Any such meeting shall be considered as an assembled meeting.
- (c) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing: Provided, That if an assembled meeting is held, all votes shall be cast in person.

§ 1029.33 Expenses and compensation.

The members of the committee, and alternates when acting as members, shall be reimbursed for expenses necessarily incurred by them in the performance of their duties under this part and may also receive compensation, as determined by the committee, which shall not exceed \$10 per day or portion thereof spent in performing such duties: Provided, That at its discretion the committee may request the attendance of one or more alternates at any or all meetings, notwithstanding the expected or actual presence of the respective members, and may pay expenses and compensation, as aforesaid.

§ 1029.34 Annual report.

The committee shall, prior to the last day of each fiscal period, prepare and mail an annual report to the Secretary and make a copy available to each handler and grower who requests a copy of the report. This annual report shall contain at least: (a) A complete review of the regulatory operations during the fiscal period; (b) an appraisal of the effect of such regulatory operations upon the prune industry; and (c) any recommendations for changes in the program.

EXPENSES AND ASSESSMENTS

§ 1029.40 Expenses.

The committee is authorized to incur such expenses as the Secretary finds are reasonable and likely to be incurred by the committee for its maintenance and functioning and to enable it to exercise its powers and perform its duties in accordance with the provisions of this part during each fiscal period. The funds to cover such expenses shall be acquired by the levying of assessments as prescribed in § 1029.41.

§ 1029.41 Assessments.

(a) Each person who first handles prunes shall, with respect to the prunes so handled by him, pay to the committee upon demand such person's pro rata share of the expenses which the Secretary finds will be incurred by the committee during each fiscal period. Each such person's share of such expenses shall be equal to the ratio between the total quantity of prunes handled by him as the first handler thereof during the applicable fiscal period and the total quantity of prunes so handled by all persons during the same fiscal period. The payment of assessments for the maintenance and functioning of the committe may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

(b) The Secretary shall fix the rate of assessment to be paid by each such person. At any time during or after the fiscal period, the Secretary may increase the rate of assessment in order to secure sufficient funds to cover any later finding by the Secretary relative to the expenses which may be incurred. Such increase shall be applied to all prunes handled during the applicable fiscal period. In order to provide funds for the administration of the provisions of this part during the first part of a fiscal period before sufficient operating income is available from assessments on the current year's shipments, the committee may accept the payment of assessments in advance, and may also borrow money

for such purpose.

§ 1029.42 Accounting.

(a) If, at the end of a fiscal period, the assessments collected are in excess of expenses incurred, such excess shall be accounted for as follows:

- (1) Except as provided in subparagraphs (2) and (3) of this paragraph, each person entitled to a proportionate refund of any excess assessment shall be credited with such refund against the operation of the following fiscal period unless such person demands repayment thereof, in which event it shall be paid to him: Provided, That any sum paid by a person in excess of his pro rata share of the expenses during any fiscal period may be applied by the committee at the end of such fiscal period to any outstanding obligations due the committee from such person.
- (2) The committee, with the approval of the Secretary, may establish and maintain during one or more fiscal years an operating monetary reserve in an amount not to exceed approximately one fiscal year's operational expenses. Funds in such reserve shall be available for use by the committee for all expenses authorized pursuant to § 1029.40.
- (3) Upon termination of this part, any funds not required to defray the necessary expenses of liquidation shall be disposed of in such manner as the Secretary may determine to be appropriate: *Provided*, That to the extent practical, such funds shall be returned pro rata to the

persons from whom such funds were collected.

- (b) All funds received by the committee pursuant to the provisions of this part shall be used solely for the purposes specified in this part and shall be accounted for in the manner provided in this part. The Secretary may at any time require the committee and its members to account for all receipts and disbursements.
- (c) Upon the removal or expiration of the term of office of any member of the committee, such member shall account for all receipts and disbursements and deliver all property and funds in his possession to his successor in office, and shall execute such assignments and other instruments as may be necessary or appropriate to vest in such successor full title to all of the property, funds, and claims vested in such member pursuant to this part.

RESEARCH

§ 1029.45 Marketing research and development.

The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of prunes. The expense of such projects shall be paid from funds collected pursuant to § 1029.41.

REGULATIONS

§ 1029.50 Marketing policy.

- (a) Each season prior to making any recommendations pursuant to § 1029.51, the committee shall submit to the Secretary a report setting forth its marketing policy for the ensuing season. Such marketing policy report shall contain information relative to:
- (1) The estimated total production of prunes within the production area;
- (2) The expected general quality and size of prunes in the production area and in other areas;
- (3) The expected demand conditions for prunes in different market outlets;
- (4) The expected shipments of prunes produced in the production area and in areas outside the production area;
- (5) Supplies of competing commodities;
- (6) Trend and level of consumer income;
- (7) Other factors having a bearing on the marketing of prunes; and
- (8) The type of regulations expected to be recommended during the season.
- (b) In the event it becomes advisable, because of changes in the supply and demand situation for prunes, to modify substantially such marketing policy, the committee shall submit to the Secretary a revised marketing policy report setting forth the information prescribed in this section. The committee shall publicly announce the contents of each marketing policy report, including each revised marketing policy report, and copies thereof shall be maintained in the office of the committee where they shall be available for examination by growers and handlers.

§ 1029.51 Recommendations for regulation.

(a) Whenever the committee deems it advisable to regulate the handling of any variety or varities of prunes in the manner provided in § 1029.52, it shall so recommend to the Secretary.

(b) In arriving at its recommendations for regulation pursuant to paragraph (a) of this section, the committee shall give consideration to current information with respect to the factors affecting the supply and demand for prunes during the period or periods when it is proposed that such regulation should be made effective. With each such recommendation for regulation, the committee shall submit to the Secretary the data and information on which such recommendation is predicated and such other available information as the Secretary may request.

§ 1029.52 Issuance of regulations.

- (a) The Secretary shall regulate, in the manner specified in this section, the handling of prunes whenever he finds, from the recommendations and information submitted by the committee, or from other available information, that such regulations will tend to effectuate the declared policy of the act. Such regulations may:
- (1) Limit, during any period or periods, the shipment of any particular grade, size, quality, maturity, or pack, or any combination thereof, of any variety or varieties of prunes grown in any district or districts: *Provided*, That whenever any regulation under this subparagraph prescribes a specific maturity requirement applicable to the handling of any variety of prunes, such maturity requirement shall apply uniformly to all prunes of such variety grown in both districts:
- (2) Limit the shipment of prunes by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity during any period when season average prices are expected to exceed the parity level;

(3) Fix the size, capacity, weight, dimensions, markings, or pack of the container, or containers, which may be used in the packaging or handling of prunes;

- (4) Prescribe requirements, as provided in this paragraph, applicable to exports of any variety of prunes which are different from those applicable to the handling of the same variety to other destinations.
- (b) The committee shall be informed immediately of any such regulation issued by the Secretary, and the committee shall promptly give notice thereof to growers and handlers.

§ 1029.53 Modification, suspension, or termination of regulations.

- (a) In the event the committee at any time finds that, by reason of changed conditions, any regulations issued pursuant to § 1029.52 should be modified, suspended, or terminated, it shall so recommend to the Secretary.
- (b) Whenever the Secretary finds, from the recommendations and information submitted by the committee or from other available information, that a regu-

lation should be modified, suspended, or terminated with respect to any or all shipments of prunes in order to effectuate the declared policy of the act, he shall modify, suspend, or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such modification or suspension. If the Secretary finds that a regulation obstructs or does not tend to effectuate the declared policy of the act, he shall suspend or terminate such regulation. On the same basis and in like manner the Secretary may terminate any such suspension.

§ 1029.54 Special purpose shipments.

- (a) Except as otherwise provided in this section, any person may, without regard to the provisions of §§ 1029.41, 1029.52, 1029.53, and 1029.55, and the regulations issued thereunder, handle prunes (1) for consumption by charitable institutions; (2) for distribution by relief agencies; or (3) for commercial processing into products.
- (b) Upon the basis of recommendations and information submitted by the committee, or from other available information, the Secretary may relieve from any or all requirements, under or established pursuant to §§ 1029.41, 1029.52, 1029.53, or § 1029.55, the handling of prunes in such minimum quantities, or types of shipments, or for such specified purposes (including shipments to facilitate the conduct of marketing research and development projects established pursuant to § 1029.45) as the committee, with approval of the Secretary, may prescribe.
- (c) The committee shall, with the approval of the Secretary, prescribe such rules, regulations, and safeguards as it may deem necessary to prevent prunes handled under the provisions of this section from entering the channels of trade for other than the specific purposes authorized by this section. Such rules, regulations, and safeguards may include the requirements that handlers shall file applications and receive approval from the committee for authorization to handle prunes pursuant to this section, and that such applications be accompanied by a certification by the intended purchaser or receiver that the prunes will not be used for any purpose not authorized by this section.

§ 1029.55 Inspection and certification.

Whenever the handling of any variety of prunes is regulated pursuant to § 1029.52 or § 1029.53, each handler who handles prunes shall, prior thereto, cause such prunes to be inspected by the Federal or Federal-State Inspection Service, and certified by it as meeting the applicable requirements of such.regulation: Provided, That inspection and certification shall be required for prunes which previously have been so inspected and certified only if such prunes have been regraded, resorted, repackaged, or in any other way further prepared for market. Promptly after inspection and certification, each such handler shall

submit, or cause to be submitted, to the committee a copy of the certificate of inspection issued with respect to such prunes. The committee may, with the approval of the Secretary, prescribe rules and regulations modifying the inspection requirements of this section as to time and place such inspection shall be performed whenever it is determined it would not be practical to perform the required inspection at a particular location: Provided, That all such shipments shall comply with all regulations in effect.

REPORTS

§ 1029.60 Reports.

- (a) Upon request of the committee made with the approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part. Such reports may include, but are not necessarily limited to, the following: (1) The quantities of each variety of prunes received by a handler: (2) the quantities disposed of by him, segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such prunes: and (4) the destination of each shipment of such prunes.
- (b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competitive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers are authorized, subject to the prohibition of disclosure of individual handler's identities or operations.
- (c) Each handler shall maintain for at least two succeeding years such records of the prunes received, and of prunes disposed of, by such handler as may be necessary to verify reports pursuant to this section.

MISCELLANEOUS PROVISIONS

§ 1029.61 Compliance.

Except as provided in this part, no person shall handle prunes, the shipment of which has been prohibited by the Secretary in accordance with the provisions of this part; and no person shall handle prunes except in conformity with the provisions and the regulations issued under this part.

§ 1029.62 Right of the Secretary,

The members of the committee (including successors and alternates), and any agents, employees, or representatives thereof, shall be subject to removal or suspension by the Secretary at any time. Each and every regulation, decision, determination, or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon

such disapproval, the disapproved action of the committee shall be deemed null and void, except as to acts done in reliance thereon or in accordance therewith prior to such disapproval by the Secretary.

§ 1029.63 Effective time.

The provisions of this part and any amendments thereto shall become effective at such time as the Secretary may declare above his signature, and shall continue in force until terminated in one of the ways specified in § 1029.64.

§ 1029.64 Termination.

- (a) The Secretary may at any time terminate the provisions of this part by giving at least one day's notice by means of a press release or in any other manner in which he may determine.
- (b) The Secretary shall terminate or suspend the operation of any and all of the provisions of this part whenever he finds that such provisions do not tend to effectuate the declared policy of the act.
- (c) The Secretary shall terminate the provisions of this part at the end of any fiscal period whenever he finds that continuance is not favored by the majority of producers who, during a representative period determined by the Secretary, were engaged in the production area in the production of prunes for market in fresh form: Provided. That such majority has produced for market during such period more than 50 percent of the volume of prunes produced for fresh market in the production area; but such termination shall be effective only if announced on or before March 31 of the then current fiscal period.
- (d) The provisions of this part shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1029.65 Proceedings after termination.

- (a) Upon the termination of the provisions of this part, the committee shall, for the purpose of liquidating the affairs of the committee, continue as trustees of all the funds and property then in its possession, or under its control, including claims for any funds unpaid or property not delivered at the time of such termination.
- (b) The said trustees shall (1) continue in such capacity until discharged by the Secretary; (2) from time to time account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such persons as the Secretary may direct; and (3) upon the request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person, full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant hereto.
- (c) Any person to whom funds, property, or claims have been transferred or delivered, pursuant to this section, shall be subject to the same obligation imposed

upon the committee and upon the trustees.

§ 1029.66 Effect of termination or amendment.

Unless otherwise expressly provided by the Secretary, the termination of this part or of any regulation issued pursuant to this part, or the issuance of any amendment to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this part or any regulation issued under this part, or (b) release or extinguish any violation of this part or of any regulation issued under this part, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violation.

§ 1029.67 Duration of immunities.

The benefits, privileges, and immunities conferred upon any person by virtue of this part shall cease upon the termination of this part, except with respect to acts done under and during the existence of this part.

§ 1029.68 Agents.

The Secretary may, by designation in writing, name any officer or employee of the United States, or name any agency or division in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this part.

§ 1029.69 Derogation.

Nothing contained in the provisions of this part is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States (a) to exercise any powers granted by the act or otherwise, or (b) in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1029.70 Personal liability.

No member or alternate member of the committee and no employee or agent of the committee shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, employee, or agent, except for acts of dishonesty, wilful misconduct, or gross negligence.

§ 1029.71 Separability.

If any provision of this part is declared invalid or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this part or the applicability thereof to any other person, circumstance, or thing shall not be affected thereby.

Issued at Washington, D.C., this 1st day of July 1960, to become effective upon publication in the FEDERAL REGISTER.

CLARENCE L. MILLER, Assistant Secretary.

[F.R. Doc. 60-6262; Filed, July 6, 1960; 8:54 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Commerce, Department of Commerce

. SUBCHAPTER B—EXPORT REGULATIONS

[9th Gen. Rev. of Export Regs., Amdt. 371]
PART 371—GENERAL LICENSES

PART 379—EXPORT CLEARANCE AND DESTINATION CONTROL

Miscellaneous Amendments

1. Section 371.52 Supplement 2; Commodities destined to Poland (including Danzig) which are excepted from General License GRO is amended by substituting the following entry for the present entry under Schedule B No. 77046:

Schedule B No.

Commodity

77046. Compressors, reciprocating, integrally powered (in which connecting rods of drive engine connect directly to crankshaft of the compressor), capable of delivering at pressures of 700 psi or over and requiring a drive rated 2,000 horse-power or over.

- 2. In the Interpretations following \$379.10(g), question and answer number 11 is amended to read as follows:
- 11. Q. Does § 379.10(c) of the export regulations, which establishes the destination control statement requirements, apply to exportations licensed by the Department of State, the Atomic Energy Commission, or other United States government agencies?
- A. No, § 379.10(c) of the export regulations applies only to exportations of commodities under the export licensing authority of the Department of Commerce. However, the regulations of the Department of State, Atomic Energy Commission, or other appropriate agency should be consulted to determine whether that agency requires the placing of a destination control statement on shipping documents covering the exportation of commodities under the export licensing authority of that agency.

This amendment shall become effective as of June 30, 1960.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023. E.O. 9630, 10 F.R. 12245, 3 CFR, 1945 Supp., E.O. 9919, 13 F.R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F.R. Doc. 60-6240; Filed, July 6, 1960; 8:51 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission
[Docket 7678 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Elmer Candy Company, Inc.

Subpart—Discriminating in price under sec. 2, Clayton Act—Price dis-

¹This amendment was published in Current Export Bulletin 835, dated June 30, 1960.

crimination under 2(a): § 13.715 Charges and price differentials.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Elmer Candy Company, Inc., New Orleans, La., Docket 7678, May 27, 1960]

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a New Orleans candy manufacturer with discriminating in price in violation of section 2(a) of the Clayton Act by selling its products to some purchasers at higher prices than it sold to their competitors; for example, granting 10 percent and 20 percent price discounts to certain drugstores but none to competing drugstores, some of which sold more of its products than those fayored.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on May 27 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Elmer Candy Company, Inc., a corporation, and its officers, representatives, agents and employees, directly or through any corporate or other device, in, or in connection with, the sale of candy and related products of like grade and quality in commerce, as "commerce" is defined in the amended Clayton Act, do forthwith cease and desist from discriminating, directly or indirectly, in the price of such products of like grade and quality by selling to any purchaser at net prices higher than the net prices charged to any other purchaser who, in fact, competes in the resale and distribution of the respondent's products with the purchaser paying the higher price.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: May 27, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F.R. Doc. 60-6204; Filed, July 6, 1960; 8:46 a.m.]

[Docket 7814 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Princess Royal Knitting Mills

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055-50 Preticketing merchandise misleadingly. Subpart—Misbranding or mislabeling: § 13.1280 Price. Subpart—Misrepresenting oneself and goods—Prices: § 13.1811 Fictitious preticketing.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15

U.S.C. 45) [Cease and desist order, Harold Blumberg et al., trading as Princess Royal Knitting Mills, Reading, Pa., Docket 7814, June 22, 1960]

In the Matter of Harold Blumberg, Trustee of the Estate of A. Blumberg, David Blumberg, Evelyn Blumberg, and Murray Lappen, Individually and as Copartners, Trading as Princess Royal Knitting Mills

The complaint in this case charged hosiery manufacturers in Reading, Pa., with preticketing their products with tags bearing fictitiously high prices, represented thereby as the usual retail prices.

Accepting an agreement for a consent order, the hearing examiner made his initial decision and order to cease and desist which became on June 22 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered. That respondents, Harold Blumberg, as Trustee of the Estate of A. Blumberg, David Blumberg, Evelyn Blumberg and Murray Lappen, individually and as co-partners, trading as Princess Royal Knitting Mills, or under any other name or names, and their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of hosiery or any other merchandise in commerce. as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

- 1. Representing by preticketing, or in any other manner, that a certain amount is the customary or usual retail price of merchandise when said amount is in excess of the price at which said merchandise is customarily and usually sold at retail in the trade area or areas where the representation is made.
- 2. Furnishing any means or instrumentality to others by and through which they may mislead the public as to the customary or usual retail price of respondents' merchandise.

By "Decision of the Commission", etc., report of compliance was required as

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 22, 1960.

By the Commission.

[SEAL]

Secretary.

ROBERT M. PARRISH.

[F.R. Doc. 60-6205; Filed, July 6, 1960; 8:46 a.m.]

[Docket 7344 c.o.]

PART 13—PROHIBITED TRADE **PRACTICES**

Grand Union Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.135 Nature of product or service: § 13.135--50 Oleomargarine amendment to FTC Act.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interprets or applies sec. 15, 52 Stat. 116, 64 Stat. 21; 15 U.S.C.A. 55) [Cease and desist order, The Grand Union Company et al., Washington, D.C., Docket 7344, June 1, 1960]

In the Matter of The Grand Union Company, a Corporation, Square Deal Market Co., Inc., a Corporation, Trading as Food Fair; and Supermarket Wholesalers, Inc., a Corporation

The complaint in this case, as amended, charged the corporate operator of numerous retail food stores and two subsidiaries, with representing falsely that margarine was a dairy product by listing it with cheese and butter under the headings "Dairy Department" and "Ultra-Fresh Dairy Department" in newspaper advertising.

After acceptance of a consent agreement, the hearing examiner made his initial decision dismissing the complaint as to the parent corporation and requiring the two subsidiaries to desist from the challenged practices, and on June 1 the initial decision became the decision of the Commission.

Said order is as follows:

It is ordered, That the complaint be and the same is hereby dismissed as to The Grand Union Company, a corporation.

It is further ordered, That respondents. Square Deal Market Co., Inc., a corporation, trading as Food Fair, or trading under any other name, and Supermarket Wholesalers, Inc., a corporation, and their officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of oleomargarine or margarine, do forthwith cease and desist from, directly or indirectly:

- 1. Disseminating, or causing to be disseminated, by means of the United States mails or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, any advertisement which contains any statement, word, grade designation, design, device, symbol, sound, or any combination thereof, which represents or suggests that said product is a dairy product:
- 2. Disseminating, or causing to be disseminated, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said product, any advertisement which contains any of the representations prohibited in paragraph 1 of this

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents Square Deal Market Co., Inc., a corporation, trading as Food Fair, and Supermarket Wholesalers, Inc., a corporation, shall, within sixty (60) days after service upon them of this order, file with the Com-

mission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 1, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH. Secretary.

[F.R. Doc. 60-6206; Filed, July 6, 1960; 8:46 a.m.]

[Docket 7699 c.o.]

PART 13-PROHIBITED TRADE **PRACTICES**

Lanston Industries, Inc.

Subpart-Discriminating in price under section 2, Clayton Act—Payment for services or facilities for processing or sale under 2(d): § 13.824 Advertising expenses.

(Sec. 6, 38 Stat. 722: 15 U.S.C. 46. Interprets or applies sec. 2, 49 Stat. 1527; 15 U.S.C. 13) [Cease and desist order, Lanston Industries, Inc., Philadelphia, Pa., Docket 7699, June 1,

The complaint in this case charged a Philadelphia manufacturer of typesetting, typecasting, photomechanical, and platemaking equipment for the graphic arts industry with violating section 2(d) of the Clayton Act by paying compensation for services to some of its customers but not to their competitors on proportionally equal terms, such as paying \$6,500 for advertising to a Philadelphia company.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on June 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Lanston Industries, Inc., its officers, employees, agents and representatives, directly or through any corporate or other device. in the course of its business in commerce, as "commerce" is defined in the Clayton Act, as amended, do forthwith cease and desist from: Making or contracting to make, to or for the benefit of any customer, any payment of anything of value as compensation or in consideration for any advertising or other services or facilities furnished by or through such customer, in connection with the handling, resale or offering for resale of products manufactured, sold, or offered for sale by respondent, unless such payment or consideration is affirmatively offered or otherwise made available on proportionally equal terms to all other customers competing in the resale or distribution of such products.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered. That the respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing setting forth in detail the manner and

form in which it has complied with the order to cease and desist.

Issued: June 1, 1960. By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F.R. Doc. 60-6207; Filed, July 6, 1960; 8:46 a.m.]

[Docket 7571 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Lumar, Inc., et al.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 Furnishing means and instrumentalities of misrepresentation or deception. Subpart—Invoicing products falsely: § 13.1108 Invoicing products falsely: § 13.1108—40 Federal Trade Commission Act. Subpart—Misbranding or mislabeling: § 13.1185 Composition: § 13.1185—90 Wool Products Labeling Act; § 13.1212 Formal regulatory and statutory requirements: § 13.1212-90 Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 Formal regulatory and statutory requirements: § 13.1852-80 Wool Products Labeling Act.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68 (c)) [Cease and desist order, Lumar, Inc., et al., Dallas, Tex., Docket 7571, May 26, 1960]

In the Matter of Lumar, Inc., a Corporation, and Martin Rosenbaum, Individually and as an Officer of Said Corporation

The complaint in this proceeding charged a Dallas, Tex., manufacturer with violating the Wool Products Labeling Act and the Federal Trade Commission Act by labeling and invoicing as "100% reprocessed wool" and "70% reprocessed wool, 30% Man Made Fibers", interlining materials, the actual wool content of which was substantially less than so represented, and by failing in other respects to comply with labeling requirements of the Wool Act.

On the basis of a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on May 26 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent Lumar, Inc., a corporation, and its officers, and respondent's representatives, agents, and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation, or distribution in commerce, as "commerce sidefined in the Federal Trade Commission Act, and the Wool Products Labeling Act of 1939, of woolen interlining materials or other "wool products" as such products are defined in and subject to the Wool Products Labeling Act of

1939, do forthwith cease and desist from misbranding said products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers contained therein;

2. Failing to securely affix to or place on each such product a stamp, tag, label, or other means of identification showing in a clear and conspicuous manner:

(a) The percentages of the total fiber weight of such wool product exclusive of ornamentation not exceeding 5 percentum of said total fiber weight, of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where the percentage by weight of such fiber is five percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such wool product of non-fibrous loading or adulterating matter;

(c) The name or registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce or in the offering for sale, sale, transportation, distribution, or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939.

It is further ordered, That Lumar, Inc., a corporation, and its officers, and respondent's representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of woolen interlining materials or any other materials in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from, directly or indirectly, misrepresenting the constituent fibers of which their products are composed or the percentages or amounts thereof in sales invoices, shipping memoranda or in any other manner.

It is further ordered, That the complaint herein, in so far as it relates to respondent Martin Rosenbaum, individually and as an officer of Lumar, Inc., be, and the same hereby is, dismissed.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent Lumar, Inc., a corporation, shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complled with the order to cease and desist.

Issued: May 26, 1960.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F.R. Doc. 60-6208; Filed, July 6, 1960; 8:46 a.m.]

[Dockets 5090 c.o.; 5459 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Olive Tablet Co. et al.

Subpart—Advertising falsely or misleadingly: § 13.170 Qualities or properties

of product or service: \$ 13.170-52 Medicinal, therapeutic, healthful, etc.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist orders, Plough, Inc. (Memphis, Tenn.), et al., Docket 5090, Apr. 28, 1960; and Stuart N. Updike (New York, N.Y.) et al., Docket 5459, May 26, 1960]

In the Matters of Olive Tablet Company, a Corporation, and Erwin, Wasey and Company, a Corporation; and Beechams Pills, Inc., a Corporation, and Street & Finney, a Corporation

These proceedings were heard on complaints of the Commission charging distributors of "Dr. Edwards' Olive Tablets" and "Beechams Pills", respectively, and their advertising agencies, with false advertising of the therapeutic properties of their preparations. In both cases, respondents had agreed to cease making the challenged representations pending final disposition of similar issues in Carter Products, Inc., Docket 4970.

Accepting consent agreements, the hearing examiner made his initial decisions and orders to cease and desist which became in due time the decisions of the Commission.

The order to cease and desist in the matter of Olive Tablet Company et al., Docket 5090, is as follows:

It is ordered, That the respondents Plough, Inc., a corporation, and Erwin, Wasey, Ruthrauff & Ryan, a corporation (the legal successors to the Olive Tablet Company, and Erwin, Wasey and Company, which were named as respondents in the original complaint), and their respective officers, agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the products designated "Dr. Edwards' Olive Tablets", or any other product of substantially similar composition or possessing substantially similar properties under whatever name sold, do forthwith cease and desist from:

(1) Disseminating or causing to be disseminated any advertisement by means of the United States mails, or by any other means, in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication:

(a) That said preparation will aid in promoting the flow of bile or that it will increase or beneficially influence the formation, secretion or flow of bile from the liver or gall bladder;

(b) That said preparation will have any favorable effect on the toning up of any intestinal muscular action;

(2) Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or is likely to induce, directly or indirectly, the purchase of said products in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph (1) hereof.

The order to cease and desist in the matter of Beechams Pills, Inc., et al., Docket 5459, is as follows:

It is ordered, That the respondents, Stuart N. Updike, as a director of the liquidated corporation, Beechams Pills, Inc.; Harold F. Ritchie, Inc., and Street & Finney, Inc., corporations, by their respective officers, agents, representatives and employees: shall all, directly or through any corporate or other device, in connection with the offering for sale. sale or distribution of the product designated "Beechams Pills", or any other product of substantially similar composition or possessing substantially similar properties under whatever name sold, do forthwith cease and desist from:

(1) Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any other means in commerce, as "commerce" is defined in the Federal Trade Commission Act, which advertisement represents directly or by implication:

(a) That said preparation will stimulate, promote, aid, or help the digestion of food, or regulate digestion or the di-

gestive system:

(b) That said preparation is a competent or effective remedy for gaseous, bloated, or tight feeling around the waist:

- (c) That said preparation will bring on or restore regularity of bowel movement, or is a cure, remedy or competent or effective treatment for constipation, or has any beneficial value in the treatment of any of the symptoms thereof in excess of temporary relief afforded by its laxative action:
- (d) That constipation has any appreciable effect on the digestion of food or that it causes food to ferment or decay excessively in the bowels:

(e) That said preparation is unqualifiedly safe;

- (f) That regular and satisfactory bowel movements are dependent to any substantial degree upon proper food digestion:
- (g) That said preparation will have any favorable effect on the tone of the intestinal muscles:
- (h) That said preparation will aid in promoting the flow of bile, or that it will increase, or beneficially influence the formation, secretion or flow of bile from the liver or gall bladder.
- (2) Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of said product in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any representation prohibited in paragraph (1) hereof.

By "Decision of the Commission", etc., in each case, reports of compliance were required as follows (combining the two cases):

It is ordered, That respondents Plough, Inc., a corporation, and Erwin, Wasey, Ruthrauff & Ryan, a corporation (the legal successors to the Olive Tablet Company, and Erwin, Wasey and Company, which were named as respondents in the complaint); and respondents Stuart N. Updike, as a director of the liquidated corporation, Beechams Pills, Inc.; Harold F. Ritchie, Inc., and Street & Finney, Inc., corporations, shall within sixty (60)

days after service upon them of these orders, file with the Commission reports in writing setting forth in detail the manner and form in which they have complied with the orders to cease and desist.

Issued: April 28, 1960 (Docket 5090); May 26, 1960 (Docket 5459).

By the Commission.

ROBERT M. PARRISH, [SEAL] Secretary.

[F.R. Doc. 60-6209; Filed, July 6, 1960; 8:46 a.m.]

[Docket 7705 c.o.]

PART 13—PROHIBITED TRADE **PRACTICES**

Scott-Mitchell House, Inc., et al.

Subpart—Advertising falsely or mis-leadingly: § 13.155 Prices: § 13.155-40 Exaggerated as regular and customary; § 13.155-45 Fictitious marking; § 13.175 Quality of product or service. Subpart-Misrepresenting oneself and goods-Prices: § 13.1805 Exaggerated as regular and customary; § 13.1810 Fictitious marking. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1886 Quality, grade or

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, 15 U.S.C. 45) [Cease and desist order, Scott-Mitchell House, Inc., et al., Yonkers, N.Y., Docket 7705, June 1, 1960]

In the Matter of Scott-Mitchell House, Inc., a Corporation; and Abraham Linet, Individually and as an Officer of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Yonkers, N.Y., distributors of housewares, tools, etc., with making such false representations in advertising as that defective, scrapped, manufacturers' reject high speed drills were "Brand New! . . . Top Grade!", and advertising usual prices of various merchandise as reduced from "Reg." prices, which were excessive and fictitious.

Following acceptance of a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on June 1 the decision of the Commission..

The order to cease and desist is as

It is ordered, That respondents Scott-Mitchell House, Inc., a corporation, and its officers, and Abraham Linet, individually and as an officer of said corporation, and respondents' representatives, agents and cmployees, directly or through any corporate or other device, in connection with the offering for sale or distribution of housewares, novelties, tools, instruments, accessories or other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "new" or any other word or words of similar import or meaning to describe merchandise previously discarded or rejected as unfit by the manufacturer thereof.

- 2. Using the words "top grade" or any other word or words of similar import or meaning to describe merchandise previously discarded or rejected as unfit by the manufacturer thereof or to describe merchandise which is not the best product of the manufacturer.
- 3. Representing in any manner that merchandise discarded or rejected as unfit by the manufacturer thereof is new or of top grade or quality.
- 4. Offering for sale or selling a manufacturer's reject product without clearly disclosing on the article, or on the container in which such merchandise is packaged when sold this way, and in advertising, invoices, and shipping memoranda, that such merchandise is a manufacturer's reject.
- 5. Representing, directly or by implication, that the price at which such merchandise is offered for sale constitutes a reduction from the usual and customary price charged for such merchandise by respondents in the recent, regular course of their business in the area or areas where the representation is made.
- 6. Representing that any savings are afforded in the purchase of merchandise unless the prices at which it is offered constitute a reduction from the prices at which said merchandise is usually and customarily sold by respondents in the normal course of their business.
- 7. Misrepresenting in any manner the amount of savings available to purchasers of respondents' merchandise, or the amount by which the price of said merchandise is reduced from the price at which it is usually and customarily sold by respondents in the normal course of their business.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 1, 1960.

By the Commission.

[SEAL] ROBERT M. PARRISH, Secretary.

[F.R. Doc. 60-6210; Filed, July 6, 1960; 8:47 a.m.]

[Docket 7737 c.o.]

PART 13-PROHIBITED TRADE **PRACTICES**

Standard Brands, Inc., et al.

Subpart-Advertising falsely or misleadingly: § 13.20 Comparative data or merits

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Standard Brands, Inc., et al., New York, N.Y., Docket 7737, June 1, 1960] In the Matter of Standard Brands, Inc., a Corporation, and Ted Bates & Company, Inc., a Corporation

The complaint in this case charged manufacturers of Blue Bonnet oleomargarine and their advertising agency with representing falsely in television broadcasts that moisture drops or "Flavor Gems"—actually magnified drops of a non-volatile liquid applied for the demonstration—on Blue Bonnet oleomargarine caused it to taste more like butter than competitive margarines.

Accepting a consent agreement, the hearing examiner made his initial decision and order to cease and desist which became on June 1 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Standard Brands, Inc., a corporation, and its officers, and Ted Bates & Company, Inc., a corporation, and its officers, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of "Blue Bonnet" oleomargarine or any other oleomargarine, whether offered for sale or sold under the same or any other name, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

Using any pictorial presentation or demonstration purporting to prove, or representing in any manner, that moisture drops appearing on said oleomargarine cause such oleomargarine to taste more like butter, or to be more similar in flavor to butter, than competitive oleomargarine.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: June 1, 1960.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F.R. Doc. 60-6211; Filed, July 6, 1960; 8:47 a.m.]

[Docket 7617]

PART 13—PROHIBITED TRADE PRACTICES

Branton Watch Co.

Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055-50 Preticketing merchandise misleadingly. Subpart—Misrepresenting oneself and goods—Prices: § 13.1805 Exaggerated as regular and customary; § 13.1811 Fictitious preticketing.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15

U.S.C. 45) [Cease and desist order, Samuel I. Vulcan doing business as Branton Watch Company, New York, N.Y., Docket 7617, June 11, 1960]

In the Matter of Samuel I. Vulcan, an Individual Doing Business as Branton Watch Company

The complaint in this case charged a New York City importer of watch movements from Switzerland which he assembled with cases from separate sources, with preticketing said watches, and furnishing his customers, with false price tickets representing the retail sales price to be much more than was the fact.

After hearing, the hearing examiner issued his initial decision which, as modified, became on June 11 the decision of the Commission.

The order to cease and desist, as modified, is as follows:

It is ordered, That Samuel I. Vulcan, an individual doing business as Branton Watch Company, or under any other name or names, and his representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, or distribution of watches, or any other merchandise in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

- 1. Representing by preticketing or in any other manner, that any amount is the usual and regular retail price of any product when such amount is in excess of the price at which such product is usually and regularly sold at retail in the trade area or areas where the representation is made: and
- 2. Furnishing any means or instrumentality to others by and through which they may misrepresent the usual and regular retail price of any of respondent's products.

By "Order Modifying Initial Decision", etc., report of compliance was required as follows:

It is further ordered, That respondent, Samuel I. Vulcan, shall, within sixty (60) days after service upon him of this order, file with the Commission a report, in writing, setting forth in detail the manner and form in which he has complied with the order to cease and desist.

Issued: June 10, 1960.

By the Commission.

[SEAL]

ROBERT M. PARRISH, Secretary.

[F.R. Doc. 60-6212; Filed, July 6, 1960; 8:47 a.m.]

[Docket 6630]

PART 13—PROHIBITED TRADE PRACTICES

Virginia Excelsior Mills, Inc., et al.

Subpart—Combining or conspiring: § 13.430 To enhance, maintain or unify prices.

(Sec. 6, 38 Stat. 722; 15 U.S.C. 46. Interprets or applies sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Modified cease and desist order Virginia Excelsior Mills, Inc. (Doswell, Va.), et al., Docket 6630, May 6, 1960]

Order modifying desist order of Oct. 25, 1957, 22 F.R. 9390, to carry out the direction of the Court of Appeals, Fourth Circuit, of June 4, 1958 (256 F. 2d 538), to limit the prohibition against the maintenance of a common selling agent to its utilization in aid of the unlawful practices inhibited by preceding sections of the order.

Said modified order to cease and desist, including the order requiring report of compliance therewith, is as follows:

It is ordered, That Respondents Virginia Excelsior Mills, Inc., a corporation, W. H. Baker, T. Frank Flippo, H. L. Taylor and F. C. Flippo, individuals and officers of Respondent Virginia Excelsior Mills, Inc., T. Frank Flippo, F. Carter Flippo and Arthur P. Flippo, individuals and copartners trading as T. F. Flippo & Sons, H. L. Taylor, H. Ashton Taylor, G. K. Coleman, Sr., and G. K. Coleman, Jr., individuals and copartners trading as Ruther Glen Excelsior Company, T. Nelson Haley and Jesse C. Haley, individuals and copartners trading as Haley Excelsior Company, W. H. Baker, an individual trading as Hallsboro Manufacturing Company, S. D. Quarles and J. R. Gilman, individuals and copartners trading as Penola Excelsior Company, C. J. Haley, an individual trading as Ashland Excelsior Company, H. L. Taylor and Thomas H. Chewning, individuals and copartners trading as Caroline Excelsior Company, and as Chilesburg Excelsior Company, Benjamin Jeter, an individual trading as Benjamin Jeter, S. D. Quarles Lumber Company, Inc., a corporation, C. T. Smith, an individual trading as C. T. Smith, Ray S. Campbell, Addie C. Doswell, Elliot Campbell, E. May Campbell, and Bessie S. Campbell, individuals and copartners trading and doing business as Milford Excelsior Company, and said respective Respondents' officers, agents, representatives and employees, in or in connection with the production, offering for sale, sale or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act, of excelsior, do forthwith cease and desist from entering into, continuing, co-operating in, or carrying out any combination, agreement, understanding, or planned common course of action between any two or more of said Respondents, or between or among any one or more of said Respondents and others not parties hereto, to do or perform any of the following acts or practices:

- 1. Fixing the selling price of excelsior or maintaining any prices so fixed;
- 2. Fixing or in any wise regulating production quotas;
- 3. Restricting manufacturers in selling and offering excelsior for sale by
- a. Designating the party to whom they or either of them can sell;
- b. Designating the party to whom they or either of them can offer to sell;
- c. Designating the party to whom they or either of them can quote prices;
- d. Designating the prices which they or either of them can quote; or
- e. Imposing any other restriction, or enforcing any such restriction by the imposition of penalties, or otherwise;
- 4. Classifying excelsior for pricing purposes;

5. Designating conditions under which mill owners who own stock in Respondent Virginia Excelsior Mills, Inc., may sell their mills or machines:

6. Operating, maintaining or utilizing Respondent Virginia Excelsior Mills, Inc., or any other central agency, as an instrument or medium for promoting. aiding, or making more effective any cooperative or concerted efforts to suppress or eliminate competition by or through any of the means or methods set forth in the preceding paragraphs numbered 1 to 5, inclusive, of this order;

It is further ordered, That the com-

plaint herein, insofar as it relates to Respondents Thomas L. Blanton, Noah Markey, Catherine C. Wright and Dorothy E. Campbell, be, and the same hereby is, dismissed without prejudice to the right of the Commission to take such action in the future as the facts may then warrant.

It is further ordered, That Respondents, Virginia Excelsior Mills, Inc., a corporation, W. H. Baker, T. Frank Flippo, H. L. Taylor and F. C. Flippo, individuals and officers of said corporation, F. Carter Flippo, Arthur P. Flippo, H. Ashton Taylor, G. K. Coleman, Sr., G. K. Coleman, Jr., T. Nelson Haley, Jesse C. Haley, S. D. Quarles, J. R. Gilman, C. J. Haley, Thomas H. Chewning, Benjamin Jeter, S. D. Quarles Lumber Company, Inc., a corporation, C. T. Smith, Ray S. Campbell, Addie C. Doswell, Elliot Campbell, E. May Campbell, Bessie S. Campbell, shall, within sixty (60) days after service upon them of this modified order, file with the Commission a report, in writing, setting forth in detail the manner and form in which they have complied with the modified order to cease and desist.

Issued: May 6, 1960.

By the Commission.

ROBERT M. PARRISH. [SEAL]

Secretary.

[F.R. Doc. 60-6213; Filed, July 6, 1960; 8:47 a.m.]

Title 36—PARKS. FORESTS. AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 3-NATIONAL CAPITAL PARKS **REGULATIONS**

Deletion of Area Available Without Permit

JULY 4, 1960.

Section 3.19 of Title 36, Part 3, Code of Federal Regulations, is hereby amended, effective immediately, by the elimination of the following paragraph:

(c) Smithsonian grounds. northeast corner of the park and adjacent to Constitution Avenue and Ninth Street NW.

Signed this 4th day of July 1960.

ELMER F. BENNETT, Acting Secretary of the Interior.

[F.R. Doc. 60-6345; Filed, July 6, 1960; 9:54 a.m.1

Chapter II—Forest Service, Department of Agriculture

PART 212—ADMINISTRATION OF THE FOREST DEVELOPMENT TRANS-PORTATION SYSTEM

Miscellaneous Amendments

1. Section 212.5 is amended to read as follows:

§ 212.5 Cooperative work.

- (a) Cooperative agreements for all projects which involve financial contributions from cooperators shall be negotiated, approved, and executed in accordance with procedures prescribed by the Chief.
- (b) Cooperative funds contributed in advance shall be deposited in the United States Treasury to the credit of the Forest Service Cooperative Fund authorized by the Act of June 30, 1914 (38 Stat. 430), as amended; 16 U.S.C. 498, or the Act of March 3, 1925 (43 Stat. 1132), as amended; 16 U.S.C. 572, which deposits will be made available for expenditure from the appropriation "Cooperative Work, Forest Service." If a State, county or other governmental agency is unable to contribute funds under the Act of March 3, 1925, as amended, in advance but is able to pay its share subsequent to performance of the work, the subsequent payment of such funds will be deposited to the credit of the Forest Service appropriation from which the expenditures were made or to appropriations for similar purposes currently available at the time of deposit.
- 2. Paragraph (c) of § 212.6 is amended to read as follows:
- (c) No construction work shall be started by force account or let to contract until all necessary rights of way have been secured, and approved by the Attorney General if required, and cooperative agreements, if any, approved and executed.
- 3. Section 212.7 Records and accounting is deleted.

Done at Washington, D.C., this 30th day of June, 1960.

[SEAL] TRUE D. MORSE, Acting Secretary of Agriculture.

|F.R. Doc. 60-6233; Filed, July 6, 1960; 8:50 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I-Bureau of Land Management, Department of the Interior

APPENDIX-PUBLIC LAND ORDERS

[Public Land Order 2138] INM-0324101

NEW MEXICO

Withdrawing Public Lands for Use of the Bureau of Indian Affairs (Borrego Pass School)

By virtue of the authority vested in [F.R. Doc. 60-6217; Filed, July 6, 1960; the President and pursuant to Executive

Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but not the disposal of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604, as amended), and reserved for use by the Bureau of Indian Affairs for school purposes:

NEW MEXICO PRINCIPAL MERIDIAN

T:16 N., R. 11 W.

Sec. 33, SW1/4NE1/4 and N1/2NW1/4SE1/4.

The areas described aggregate 60

ROGER ERNST.

Assistant Secretary of the Interior.

JUNE 28, 1960.

[F.R. Doc. 60-6216: Filed, July 6, 1960; 8:48 a.m.]

[Public Land Order 2139]

[4330391

CALIFORNIA

Partially Revoking the Departmental Orders of July 10, 1914 (List No. 5-2336), and February 24, 1916 (List No. 5-2710)

By virtue of the authority vested in the Secretary of the Interior by the Act of June 11, 1906 (34 Stat. 233; 16 U.S.C. 506-509), as amended, and upon recommendation of the Secretary of Agriculture, it is ordered as follows:

Subject to valid existing rights, the Departmental orders of July 10, 1914 (List No. 5-2236), and February 24, 1916 (List No. 5-2710), which opened lands in the Lassen National Forest, California, to settlement and entry in accordance with the Act of June 11, 1906, supra, are hereby revoked so far as they affect the following-described lands:

MOUNT DIABLO MERIDIAN

T. 32 N., R. 4 E.,

Sec. 1, W1/2E1/2 lot 10.

T. 34 N., R. 4 E.,

Sec. 1, S1/2 lot 13, S1/2 lot 14, and S1/2S1/2

SW1/4; Sec. 2, S1/4 SE1/4 SE1/4;

Sec. 11, N 1/2 NE 1/4 NE 1/4; Sec. 12, W1/2 SW1/4 SE1/4 and SE1/4 SW1/4 SE1/4;

Sec. 13, N1/2 NE1/4 NE1/4.

T. 33 N., R. 5 E., Sec. 32, SE¼NE¼, E½SW¼NE¼, and SW4SW4NE4.

T. 34 N., R. 5 E.,

Sec. 6, 51/2 lot 8, and SW1/4 SE1/4 SE1/4;

Sec. 17, N1/2SE1/4SE1/4NW1/4, SE1/4SE1/4SE1/4 NW1/4, NW1/4NW1/4SW1/4, W1/2SW1/4NE1/4 SW1/4, and E1/2E1/2NE1/4SW1/4;

Sec. 18, N1/2 lot 1;

Sec. 33, E1/2 SE1/4 NE1/4, E1/2 SW1/4 SE1/4 NE1/4, and NE 1/4 SE 1/4

Sec. 34, NW 1/4 NW 1/4 and N 1/2 N 1/2 SW 1/4 NW 1/4.

The areas described aggregate approximately 478 acres.

ROGER ERNST. Assistant Secretary of the Interior.

JUNE 29, 1960.

8:48 a.m.1

Title 49—TRANSPORTATION

Chapter I-Interstate Commerce Commission

[S.O. 928, Amdt. 3]

PART 95-CAR SERVICE

Indiana Harbor Belt Railroad Co. Authorized To Operate Over Certain Trackage of Chicago Aurora and Elgin Railway Co.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 30th day of June A.D., 1960.

Upon further consideration of Service Order No. 928 (24 F.R. 4995, 7404; 25 F.R. 80), and good cause appearing therefor:

It is ordered, That: § 95.928 Indiana Harbor Belt Railroad Company authorized to operate over certain trackage of the Chicago Aurora and Elgin Railway Company, of Service Order No. 928, be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date. This order shall expire at 11:59 p.m., December 31, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 30,

(Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That a copy of this amendment shall be served upon the Illinois Commerce Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL]

HAROLD D. McCOY, Secretary.

[F.R. Doc. 60-6256; Filed, July 6, 1960; 8:53 a.m.]

[S.O. 929, Amdt. 3]

PART 95—CAR SERVICE

Co. Authorized To Operate Over Certain Trackage of Chicago Aurora and Elain Railway Co.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 30th day of June A.D., 1960.

Upon further consideration of Service Order No. 929 (24 F.R. 4995, 7404; 25 F.R. 80), and good cause appearing

It is ordered, That: § 95.929 Chicago, Burlington & Quincy Railroad Company authorized to operate over certain trackage of Chicago Aurora and Elgin Railway Company, of Service Order No. 929, be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) Expiration date. This order shall expire at 11:59 p.m., December 31, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., June 30,

(Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17),

It is further ordered, That a copy of this amendment shall be served upon the Illinois Commerce Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL]

HAROLD D. McCOY, Secretary.

[F.R. Doc. 60-6258; Filed, July 6, 1960; 8:53 a.m.]

[S.O. 930, Amdt. 3]

PART 95—CAR SERVICE

Chicago, Burlington & Quincy Railroad Chicago, Milwaukee, St. Paul and Pacific Railroad Co. Authorized To Operate Over Certain Trackage of Chicago Aurora and Elgin Railway

> At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 30th day of June A.D. 1960.

> Upon further consideration of Service Order No. 930 (24 F.R. 4996, 7405; 25 F.R. 81), and good cause appearing therefor:

> It is ordered, That: § 95.930 Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over certain trackage of the Chicago Aurora and Elgin Railway Co., of Service Order No. 930, be and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof.

> (g) Expiration date. This order shall expire at 11:59 p.m., December 31, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

> Effective date: This amendment shall become effective at 11:59 p.m., June 30, 1960.

> (Sec. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies sec. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17),

> It is further ordered. That copies of this amendment shall be served upon the Illinois Commerce Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL]

HAROLD D. McCOY, Secretary.

[F.R. Doc. 60-6257; Filed, July 6, 1960; 8:53 a.m.l

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 163]

ROADLESS AREAS ON INDIAN RESERVATIONS

Miscellaneous Amendments

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 161 of the Revised Statutes (5 U.S.C. 22), it is proposed to amend 25 CFR Part 163 as set forth below. The purpose of this amendment is to exclude the 105,000 acres on Yakima Reservation known as the Goat Rocks Roadless Area, and the 130,000 acres on the Fort Apache Reservation known as the Mt. Thomas Roadless Area from the list of roadless areas heretofore set forth in § 163.1 of Title 25, CFR; also the 48,000 acres on Yakima Reservation known as the Mount Adams Wild Area is proposed to be excluded from the list of wild areas heretofore set forth in § 163.2 of Title 25, CFR. The Tribe has requested the elimination of these areas to facilitate the economic development of the areas.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the Federal Register.

ROGER ERNST. Assistant Secretary of the Interior. June 30. 1960.

1. Section 163.1 is amended to provide for the elimination of the Mt. Thomas and Goat Rocks areas and to read as follows:

§ 163.1 Definition of roadless areas.

The National Resources Board defines a roadless area as one which contains no provision for the passage of motorized transportation and which is at least 100,000 acres in forested country and at least 500,000 acres in non-forested country. Under this definition the Secretary of the Interior ordered that the following be established as roadless areas on Indian reservations:

Name of area	Reservation	Approxi- mate acreage		
Wind River Mountains. Mesa Verde	ShoshoneConsolidated Ute	220, 000 115, 000		

The boundaries of these areas are indicated in the appendix to this part.1

§ 163.2 [Revocation]

Section 163.2 is revoked.

3. Section 163.3 is amended to provide for the elimination of the words "wild areas" wherever they appear and to read as follows:

§ 163.3 Roads prohibited.

(a) Within the boundaries of these officially designated roadless areas it will be the policy of the Interior Department to refuse consent to the construction or establishment of any routes passable to motor transportation, including in this restriction highways, roads, truck trails, work roads, and all other types of way constructed to make possible the passage of motor vehicles either for transportation of people or for the hauling of supplies and equipment, unless the requirements of fire protection, commercial use for the Indians' benefit or actual needs of the Indians clearly demand otherwise.

(b) Foot trails and horse trails are not barred. Superintendents of reservations on which roadless areas have been established will be held strictly accountable for seeing that these areas are maintained in a roadless condition. Elimination of any areas or parts of areas from the restriction of this order will be made only upon a written showing of an actual and controlling need.

Cross Reference: For rights-of-way for highways over Indian lands, see Part 161 of this chapter.

[F.R. Doc. 60-6214; Filed, July 6, 1960; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51] SHELLED ALMONDS

U.S. Standards for Grades ²

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Shelled Almonds (7 CFR, §§ 51.2105 to 51.2132) pursuant to the authority contained in the Agricultural Marketing Act of 1946 (Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627).

¹The appendix to this part is not codified. It appears, however, at 3 F.R. 709-711, Mar. 22, 1938.

At present the U.S. Fancy, U.S. Extra No. 1 and the U.S. No. 1 grades permit up to 2 percent, 4 percent and 5 percent. respectively, of split or broken kernels under the tolerance for "other defects." The proposed revision limits to 1 percent the amount of split or broken kernels permitted in each of these three grades.

The fourth change proposed is an increase in the tolerance for kernels damaged by chipping and scratching in the U.S. Select Sheller Run grade from 15 percent to 20 percent.

A number of minor changes in phraseology are included for clarification pur-

All persons who desire to submit written data, views or arguments for consideration in connection with the pro-posed standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D.C., not later than July 15, 1960.

The proposed standards, as revised, are as follows:

GRADES

51.2105 U.S. Fancy.

51.2106 U.S. Extra No. 1. 51.2107

U.S. No. 1. U.S. Select Sheller Run. 51.2108

51.2109 U.S. Standard Sheller Run.

51.2110 U.S. No. 1 Whole and Broken.

51.2111 U.S. No. 1 Pieces.

MIXED VARIETIES

51.2112 Mixed varieties.

UNCLASSIFIED

51.2113 Unclassified.

Size requirements. 51.2114 Tolerances for size. 51.2115

APPLICATION OF TOLERANCES

51.2116 Application of tolerances.

DEFINITIONS

51.2117 Similar varietal characteristics.

51.2118 Whole.

51.2119 Ćlean.

51.2120 Well dried. 51.2121 Decay.

51.2122 Rancidity.

51.2123 Insect injury.

Foreign material. 51.2124

51.2125 Doubles.

51.2126 Split or broken kernels.

51.2127 Particles and dust.

51.2128 Injury. 51.2129

Damage 51.2130 Serious damage.

51.2131 Diameter.

51.2132 Fairly uniform in size.

AUTHORITY: §§ 51.2105 to 51.2132 issued under secs. 202–208, 60 Stat. 1087, as amend-ed; 7 U.S.C. 1621–1627.

GRADES

. § 51.2105 U.S. Fancy.

"U.S. Fancy" consists of shelled almonds of similar varietal characteris-

² Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

tics which are whole, clean and well dried, and which are free from decay, rancidity, insect injury, foreign material, doubles, split or broken kernels, particles and dust, and free from injury caused by chipped and scratched kernels, and free from damage caused by mold, gum, shriveling, brown spot or other means. (See §§ 51.2114 and 51.2115.)

- (a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:
- (1) For dissimilar varieties. 5 percent, including not more than one-fifth of this amount, or 1 percent, for bitter almonds mixed with sweet almonds;
 - (2) For doubles. 3 percent;
- (3) For kernels injured by chipping and/or scratching. 5 percent;
- (4) Foreign material. Two-tenths of 1 percent (0.20%);
- (5) For particles and dust. One-tenth

of 1 percent (0.10%); and,
(6) For other defects. 2 percent, including not more than one-half of this amount, or 1 percent, for split or broken kernels, and including not more than one-half of the former amount, or 1 percent, for seriously damaged kernels.

§ 51.2106 U.S. Extra No. 1

- "U.S. Extra No. 1" consists of shelled almonds of similar varietal characteristics which are whole, clean, and well dried, and which are free from decay, rancidity, insect injury, foreign material, doubles, split or broken kernels, particles and dust, and free from damage caused by chipped and scratched kernels. mold, gum, shriveling, brown spot or other means. (See §§ 51.2114 and 51.2115.)
- (a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:
- (1) For dissimilar varieties, 5 percent including not more than one-fifth of this amount, or 1 percent, for bitter almonds mixed with sweet almonds;
 - (2) For doubles. 5 percent.
- (3) For kernels damaged by chipping and/or scratching. 5 percent;
- (4) For foreign material. Two-tenths of 1 percent (0.20%);
- (5) For particles and dust. tenth of 1 percent (0.10%); and,
- (6) For other defects. 4 percent, including not more than one-fourth of this amount, or 1 percent, for split or broken kernels, and including not more than three-eights of the former amount, or 1½ percent, for seriously damaged kernels.

§ 51.2107 U.S. No. 1.

"U.S. No. 1" consists of shelled almonds of similar varietal characteristics which are whole, clean and well dried, and which are free from decay, rancidity, insect injury, foreign material, doubles, split or broken kernels, particles and dust, and free from damage caused by chipped and scratched kernels, mold, gum, shriveling, brown spot or other means. (See §§ 51.2114 and 51.2115.)

(a) In order to allow for variations incident to proper grading and handling. the following tolerances, by weight, shall be permitted:

- (1) For dissimilar varieties. 5 percent. including not more than one-fifth of this amount, or 1 percent, for bitter almonds mixed with sweet almonds;
- (2) For doubles. 15 percent;(3) For kernels damaged by chipping and/or scratching. 10 percent;
- (4) For foreign material. Two-tenths of 1 percent (0.20%);
- (5) For particles and dust. Onetenth of 1 percent (0.10%); and,
- (6) For other defects. 5 percent, including not more than one-fifth of this amount, or 1 percent, for split or broken kernels, and including not more than three-tenths of the former amount, or 11/2 percent, for seriously damaged kernels.

§ 51.2108 U.S. Select Sheller Run.

- "U.S. Select Sheller Run" consists of shelled almonds of similar varietal characteristics which are whole, clean and well dried, and which are free from decay, rancidity, insect injury, foreign material, doubles, split or broken kernels, particles and dust, and free from damage caused by chipped and scratched kernels, mold, gum, shriveling, brown spot or other means. (See §§ 51.2114 and 51.2115.)
- (a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:
- (1) For dissimilar varieties. 5 percent, including not more than one-fifth of this amount, or 1 percent, for bitter almonds mixed with sweet almonds;
 - (2) For doubles. 15 percent;
- (3) For kernels damaged by chipping and/or scratching. 20 percent;
- (4) For foreign material. Two-tenths of 1 percent (0.20%):
- (5) For particles and dust. One-tenth
- of 1 percent (0.10%);
 (6) For split and broken kernels. 5 percent: Provided. That not more than two-fifths of this amount, or 2 percent, shall be allowed for pieces which will pass through a round opening 2%4 inch in diameter; and,
- (7) For other defects. 3 percent, including not more than two-thirds of this amount, or 2 percent, for serious damage.

§ 51.2109 U.S. Standard Sheller Run.

- "U.S. Standard Sheller Run" consists of shelled almonds of similar varietal characteristics which are whole, clean and well dried, and which are free from decay, rancidity, insect injury, foreign material, doubles, split or broken kernels, particles and dust, and free from damage caused by chipped and scratched kernels. mold, gum, shriveling, brown spot or other means. (See §§ 51.2114 51.2115.)
- (a) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:
- (1) For dissimilar varieties. 5 percent, including not more than one-fifth of this amount, or 1 percent, shall be allowed for pieces which will pass through a round opening 2%4 inch in diameter: and.

- (2) For doubles. 25 percent;
- (3) For kernels damaged by chipping and/or scratching. 20 percent;
- (4) For foreign material. Two-tenths of 1 percent (0.20%);
- (5) For particles and dust. Onetenth of 1 percent (0.10%);
- (6) For split and broken kernels. 15 percent: Provided, That not more than one-third of this amount, or 5 percent, shall be allowed for pieces which will pass through a round opening 2%4 inch in diameter; and,
- (7) For other defects. 3 percent, including not more than two-thirds of this amount, or 2 percent, for serious damage.

§ 51.2110 U.S. No. 1 Whole and Broken.

- "U.S. No. 1 Whole and Broken" consists of shelled almonds of similar varietal characteristics which are clean and well dried, and which are free from decay, rancidity, insect injury, foreign material, doubles, particles and dust, and free from damage caused by mold, gum, shriveling, brown spot or other means.
- (a) In this grade not less than 30 percent, by weight, of the kernels shall be whole. Doubles shall not be considered as whole kernels in determining the percentage of whole kernels.
- (b) Unless otherwise specified, the minimum diameter shall be not less than $^{2}\%_{4}$ of an inch. (See §§ 51.2114 and 51.-
- (c) In order to allow for variations incident to proper grading and handling. the following tolerances, by weight, shall be permitted:
- (1) For dissimilar varieties. 5 percent, including not more than one-fifth of this amount, or 1 percent, for bitter almonds mixed with sweet almonds;
- (2) For doubles. 35 percent;(3) For foreign material. tenths of 1 percent (0.30%):
- (4) For particles and dust. One-tenth of 1 percent (0.10%);
 - (5) For undersize. 5 percent; and,
- (6) For other defects. 5 percent, including not more than three-fifths of this amount, or 3 percent, for serious damage.

§ 51.2111 U.S. No. 1 Pieces.

- "U.S. No. 1 Pieces" consists of shelled almonds which are not bitter, which are clean and well dried, and which are free from decay, rancidity, insect injury, foreign material, particles and dust, and free from damage caused by mold, gum, shriveling, brown spot or other means.
- (a) Unless otherwise specified, the minimum diameter shall be not less than %4 of an inch. (See § 51.2114 and § 51.2115.)
- (b) In order to allow for variations incident to proper grading and handling, the following tolerances, by weight, shall be permitted:
- (1) For bitter almonds mixed with sweet almonds. 1 percent;
- (2) For foreign material. Threetenths of 1 percent (0.30%);
- (3) For particles and dust. 1 percent; and,
- (4) For other defects. 5 percent, including not more than three-fifths of this amount, or 3 percent, for serious

MIXED VARIETIES

§ 51.2112 Mixed varieties.

Any lot of shelled almonds consisting of a mixture of two or more dissimilar varieties which meet the other requirements of any of the grades of U.S. No. 1, U.S. Select Sheller Run, U.S. Standard Sheller Run, U.S. No. 1 Whole and Broken may be designated as: "U.S. No. 1 Mixed;" "U.S. Select Sheller Run Mixed;" "U.S. Standard Sheller Run Mixed;" "U.S. Standard Sheller Run Mixed;" or "U.S. No. 1 Whole and Broken Mixed," respectively; but no lot of any of these grades may include more than 1 percent of bitter almonds mixed with sweet almonds.

UNCLASSIFIED

§ 51.2113 Unclassified.

"Unclassified" consists of shelled almonds which have not been classified in accordance with any of the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no definite grade has been applied to the lot.

§ 51.2114 Size requirements.

The size may be specified in terms of range in count of whole almond kernels per ounce or in terms of minimum, or minimum and maximum diameter. When a range in count is specified, the whole kernels shall be fairly uniform in size, and the average count per ounce shall be within the range specified. Doubles and broken kernels shall not be used in determining counts. Count ranges per ounce commonly are used shown below, but other ranges may be specified: *Provided*, That the kernels are fairly uniform in size.

Count Range per Ounce

16 to 18, inclusive, 18 to 20, inclusive, 20 to 22, inclusive, 22 to 24, inclusive, 23 to 25, inclusive, 24 to 26, inclusive, 26 to 28, inclusive, 27 to 30, inclusive, 30 to 34, inclusive, 34 to 40, inclusive, 40 to 50, inclusive, 50 and smaller.

§ 51.2115 Tolerances for size.

(a) When a range is specified as, for example, "18/20," no tolerance for counts above or below the range shall be allowed.

(1) When the minimum, or minimum and maximum diameters are specified, a total tolerance of not more than 10 percent, by weight, may fail to meet the specified size requirements: *Provided*, That not more than one-half of this amount, or 5 percent, may be below the minimum size specified.

§ 51.2116 Application of tolerances.

The tolerances for the grades are to be applied to the entire lot, and a composite sample shall be taken for determining the grade. However, any container or group of containers in which the almonds are found to be materially inferior to those in the majority of the containers shall be considered a separate lot.

DEFINITIONS

§ 51.2117 Similar varietal characteristics.

"Similar varietal characteristics" means that the kernels are similar in shape and appearance. For example, long types shall not be mixed with short types, or broad types mixed with narrow types, and bitter almonds shall not be mixed with sweet almonds. Color of the kernels shall not be considered, since there is often a marked difference in skin color of kernels of the same variety.

§ 51.2118 Whole.

"Whole" means that there is less than one-eighth of the kernel chipped off or missing, and that the general contour of the kernel is not materially affected by the missing part.

§ 51.2119 Clean.

"Clean" means that the kernel is practically free from dirt and other foreign substance.

§ 51.2120 Well dried.

"Well dried" means that the kernel is firm and brittle, and not pliable or leathery.

§ 51.2121 Decay.

"Decay" means that the kernel is putrid or decomposed.

§ 51.2122 Rancidity.

"Rancidity" means that the kernel is noticeably rancid to the taste.

§ 51.2123 Insect injury.

"Insect injury" means that the insect, web, or frass is present or there is definite evidence of insect feeding.

§ 51.2124 Foreign material.

"Foreign material" means pieces of shell, hulls or other foreign matter which will not pass through a round opening $\%_4$ of an inch in diameter.

§ 51.2125 Doubles.

"Doubles" means kernels that developed in shells containing two kernels. One side of a double kernel is flat or concave.

§ 51.2126 Split or broken kernels.

"Split or broken kernels" means seveneighths or less of complete whole kernels but which will not pass through a round opening %4 of an inch in diameter.

§ 51.2127 Particles and dust.

"Particles and dust" means fragments of almond kernels or other material which will pass through a round opening \(^{\gamma_4}\) of an inch in diameter.

§ 51.2128 Injury.

"Injury" means any defect which more than slightly detracts from the appearance of the individual almond, or the general appearance of the lot. The following shall be considered as injury:

(a) Chipped and scratched kernels when the general appearance of the lot is more than slightly affected, or when the affected area on an individual kernel aggregates more than the equivalent of a circle one-eighth inch in diameter.

§ 51.2129 Damage.

"Damage" means any defect which materially detracts from the appearance of the individual kernel, or the general appearance of the lot, or the edible or shipping quality of the almonds. Any one of the following defects or combination thereof, the seriousness of which exceeds the maximum allowed for any one defect shall be considered as damage:

(a) Chipped and scratched kernels, when the general appearance of the lot is materially affected, or when the affected area on an individual kernel aggregates more than the equivalent of a circle one-quarter inch in diameter;

(b) Mold, when visible on the kernel, except when white or gray and easily rubbed off with the fingers;

(c) Gum, when a film of shiny, resinous appearing substance covers more than one-eighth of the surface of the kernel:

(d) Shriveling, when the kernel is excessively thin for its size, or when materially withered, shrunken, leathery, tough or only partially developed: *Provided*, That partially developed kernels are not considered damaged if more than three-fourths of the pellicle is filled with meat; and,

(e) Brown spot on the kernel, either single or multiple, when the affected area aggregates more than the equivalent of a circle one-eighth inch in diameter.

§ 51.2130 Serious damage.

"Serious damage" means any defect which makes a kernel or piece of kernel unsuitable for human consumption, and includes decay, rancidity, insect injury and damage by mold.

§ 51.2131 Diameter.

"Diameter" means the greatest dimension of the kernel, or piece of kernel at right angles to the longitudinal axis. Diameter shall be determined by passing the kernel or piece of kernel through a round opening.

§ 51.2132 Fairly uniform in size.

"Fairly uniform in size" means that, in a representative sample, the weight of 10 percent, by count, of the largest whole kernels shall not exceed 1.70 times the weight of 10 percent, by count, of the smallest whole kernels.

Dated: July 1, 1960.

F. R. Burke, Acting Deputy Administrator, Marketing Services.

[F.R. Doc. 60-6265; Filed, July 6, 1960; 8:54 a.m.]

[7 CFR Part 980]

[Docket No. AO-301-A1]

MILK IN WESTERN COLORADO MARKETING AREA

Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.),

and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Grand Junction, Colorado, on May 16, 1960, pursuant to notice thereof issued on April 15, 1960 (25 F.R. 3422).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Deputy Administrator, Agricultural Marketing Service, on June 20, 1960 (25 F.R. 5774) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto. No exceptions to said recommended decision were filed.

The material issues on the record of the hearing relate to:

1. Class I price.

2. The classification and pricing of other milk.

On the basis of the record of this hearing a provision under which all class prices would have expired May 31, 1960, has been suspended, effective June 1, 1960, pending completion of amendment action on the record.

Findings and conclusions. The following findings and conclusions on the material issues are based on evidence presented at the hearing and the record thereof:

1. The method of determining the Class I price should be continued unchanged at this time.

The Western Colorado Class I price is determined by adding \$2.05 each month to the basic formula price for the preceding month. The order provided that this price be effective for the first 18 months of order operation (December 1958 through May 1960) in order to afford a review of the pricing provisions after the order had been in operation a full year.

Producers proposed that these Class I pricing provisions be continued. A handler witness supported their continuation and no testimony was offered in opposition to their continuation.

For an early three months of operation of the order, January, February and March 1959, from 86.5 to 91.7 percent of producer milk was used as Class I milk, the weighted three-month average being 89.2 percent. For the same months of 1960 Class I utilization ranged from 88.6 to 90.2 percent, with a weighted average of 89.3 percent. The ratio of milk supplies to fluid sales has thus maintained a very stable relationship.

Since promulgation of the Western Colorado order, Federal milk marketing orders have been issued for the Great Basin (Salt Lake City) and Colorado Springs-Pueblo areas. Substantially larger volumes of milk are priced under these orders than under the Western Colorado order. The 1959 average Class I price of the Western Colorado order was \$5.077, as compared to the \$5.25 initial Class I price of the Great Basin order. The Colorado Springs-Pueblo order adds a \$2.20 Class I differential to a basic formula price identical with that in the Western Colorado order, so that the Class I price under that order exceeds the Western Colorado price by 15 cents per hundredweight. These orders have not been in effect sufficient time to evaluate their effect on the Western Colorado market.

The question of providing a new expiration date was raised at the hearing, but such action does not appear necessary. Should a significant change occur in the relationship of milk supplies to Class I sales in this market it is evident that there will be opportunity to reconsider pricing provisions at a future hearing. It is therefore concluded that the Class I pricing provisions may be continued without a fixed expiration date.

2. Class II milk should include all of the skim milk and butterfat heretofore defined as Class II milk and Class III milk. The Class II price should be the basic formula price for the current month.

Class II milk now includes all skim milk and butterfat used to produce ice cream, frozen desserts, ice cream mix, frozen dessert mix, yogurt, eggnog, aerated cream, skim condensed milk, whole condensed milk and cottage cheese. Class III is skim milk and butterfat: (1) Used to produce any product other than a fluid milk product or products designated as Class II; (2) in inventory of fluid milk products on hand at the end of the month; (3) accounted for as livestock feeds; (4) in skim milk dumped after prior notification to and opportunity for verification by the market administrator; (5) in shrinkage not to exceed 2 percent of skim milk and butterfat received directly from producers; and (6) in shrinkage of other source milk.

The Class II price under the order is now the basic formula price plus 20 cents. The basic formula price is the higher of (1) the midwest condensery pay price for milk received from dairy farmers during the month, or (2) a buter-powder formula price. The Class III price is the butter-powder formula price minus 13 cents.

The Western Colorado Milk Producers Association proposed that Class II milk and Class III milk be combined into one use class to be designated as Class II and priced at the basic formula level. In support of this proposal producer and handler witnesses stated that it would encourage the use of more Grade A milk by local plants in the manufacturing of ice cream and cottage cheese.

There has been a very substantial reduction during the past year in the amount of milk utilized by pool plants in the manufacture of ice cream. Milk not utilized in fluid milk products, ice cream or cottage cheese must be transported substantial distances to be manufactured into those products now designated as Class III.

In the marketing area there are three nonpool plants making ice cream, two of which also make cottage cheese. The only manufacture of Class III product in the marketing area is butter. However, butter plants buy only cream. Consequently, there is no market for Class III milk as such in the marketing area. In view of the limited outlets for excess milk in this market it is important that handlers accept and utilize the max.

imum quantities of producer milk for cottage cheese and ice cream.

Health authorities in the marketing area do not require that milk utilized in other than Class I products be obtained from approved Grade A sources. Milk from any source may be used in the various dispositions heretofore contained in Class II or Class III. Grade A milk not needed for fluid disposition in the Western Colorado market must compete for sales with milk from ungraded sources. Lowering the price to the level herein provided will price producer milk at a competitive level for use in these products. It is concluded, therefore, that the price of milk in all such dispositions should be fixed at the same level and be classified as Class II at the basic formula price. Such pricing of milk for manufacturing uses approximates that in the nearby Federal order markets of Great Basin and Colorado Springs-Pueblo.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties in the market. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(b) The parity prices of milk as determined pursuant to section 2 of the Act are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the proposed marketing agreement and the order, as hereby proposed to be amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Western Colorado Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Western Colorado Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered, That all of this decision, except the attached marketing agreement, be published in the FEDERAL REGISTER. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of April 1960 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order regulating the handling of milk in the Western Colorado marketing area, is approved or favored by producers, as defined under the terms of the order as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sale within the aforesaid marketing area.

Issued at Washington, D.C., this 30th day of June 1960.

CLARENCE L. MILLER, Assistant Secretary.

Order ¹ Amending the Order Regulating the Handling of Milk in the Western Colorado Marketing Area

§ 980.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) Findings upon the basis of the hearing record. Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Western Colorado marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Western Colorado marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

§ 980.22 [Amendment]

- 1. Amend § 980.22(i)(2) to read as follows:
- (2) On or before the 6th day of each month the minimum price for Class II milk computed pursuant to \$980.51(b) and the Class II butterfat differential computed pursuant to \$980.52(b) each for the previous month; and
 - 2. Amend § 980.41 to read as follows:

§ 980.41 Classes of utilization.

Subject to the conditions set forth in §§ 980.43 and 980.44, the classes of utilization shall be as follows:

(a) Class I milk. Class I milk shall be all skim milk and butterfat (1) disposed of in the form of fluid milk products except those classified pursuant to paragraph (b) (3) and (4) of this section, or (2) not specifically accounted for as Class II utilization.

(b) Class II milk. Class II milk shall be all the skim milk and butterfat: (1) used to produce any product other than a fluid milk product, (2) in inventory of fluid milk products on hand at the end of the month, (3) accounted for as livestock feed, (4) in skim milk dumped after prior notification to and opportunity for verification by the market administrator, (5) in shrinkage not to exceed 2 percent of skim milk and butterfat received directly from producers, and (6) in shrinkage of other source milk.

. 3. Amend § 980.43 to read as follows:

§ 980.43 Responsibility of handlers and reclassification of milk.

(a) All skim milk and butterfat shall be Class I unless the handler who first receives such skim milk or butterfat can prove to the market administrator that such skim milk or butterfat should be classified as Class II milk,

(b) Any skim milk or butterfat shall be reclassified if verification by the market administrator discloses that the original classification was incorrect.

4. Amend § 980.44(a) to read as follows:

§ 980.44 Transfers.

Skim milk and butterfat disposed of each month from a fluid milk plant shall be classified:

- (a) As Class I milk, if transferred in the form of a fluid milk product to a fluid milk plant of another handler, except a producer-handler, unless utilization in another class is claimed by both handlers in their reports submitted for the month to the market administrator pursuant to § 980.30 subject in either event to the following conditions:
- (1) The receiving plant has utilized in such class an equivalent amount of skim milk and butterfat, respectively; and
- (2) Such skim milk and butterfat shall be classified so as to allocate to producer milk the greatest possible total Class I utilization in the two plants;
- 5. Amend § 980.44(d) (1) and (3) to read as follows:
- (1) The transferring-handler claims Class II utilization in a product specified in § 980.41(b);
- (3) Not less than an equivalent amount of skim milk and butterfat was actually used as Class II in such transferor's plant;
 - 6. Amend § 980.45 to read as follows:

§ 980.45 Computation of the skim milk and butterfat in each class.

For each month, the market administrator shall correct for mathematical and for other obvious errors the reports of receipts and utilization for the fluid milk plant(s) of each handler and shall compute the pounds of butterfat and skim milk in Class I milk, and Class II milk for such handler: Provided, That if any of the water contained in the milk from which a product is made is removed before the product is utilized or disposed of by a handler, the pounds of skim milk disposed of in such product shall be considered to be an amount equivalent to the nonfat dry milk solids contained in such product, plus all of the water originally associated with such solids.

7. Amend §980.46 to read as follows:

§ 980.46 Allocation of skim milk and butterfat classified.

After making the computations pursuant to § 980.45 the market administrator shall determine the classification of milk received from producers of fluid milk plant(s) of each handler as follows:

- (a) Skim milk shall be allocated in the following manner:
- (1) Subtract from the total pounds of skim milk in Class II the pounds of skim milk allocated to shrinkage in skim milk received from producers pursuant to § 980.41(b) (5);
- (2) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in other source milk other than that subtracted pursuant to subparagraph (3) of this paragraph;

¹This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been

(3) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in other source milk received from a plant at which the handling of milk is fully subject to the pricing and payment provisions of another marketing agreement and order issued pursuant to the Act;

(4) Subtract from the pounds of skim milk remaining in each class, the pounds of skim milk received from other fluid milk plants according to its classification as determined pursuant to § 980.44(a);

(5) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk contained in inventory of fluid milk products on hand at the beginning of the month:

(6) Add to the pounds of skim milk remaining in Class II the pounds of skim milk subtracted pursuant to subparagraph (1) of this paragraph; and

(7) Subtract from the pounds of skim milk remaining in each class any amount by which the pounds of skim milk remaining in both classes exceed the pounds of skim milk in milk received from producers in series beginning with Class II. Such excess shall be called "overage"

(b) Butterfat shall be allocated in accordance with the same procedure outlined for skim milk in paragraph (a) of this section.

(c) Determine the weighted average butterfat content of each class of milk computed pursuant to paragraphs (a) and (b) of this section.

8. Amend § 980.51 to read as follows: § 980.51 Class prices.

Subject to the provisions of §§ 980.52 and 980.53 the minimum prices per hundredweight to be paid by each handler for milk received at his fluid milk plant from producers during the month shall be as follows:

(a) Class I milk. The basic formula price for the preceding month plus \$2.05.

(b) Class II milk. The basic formula price for the current month.

§ 980.52 [Amendment]

- 9. Amend § 980.52 to read as follows:
- (b) Class II milk. Multiply such price for the current month by 0.120.

§ 980.70 [Amendment]

10. Amend § 980.70(c) to read as follows:

(c) Add a reclassification charge equal to the difference between the Class I price value for the current month and the price value applicable to closing inventory for the preceding month for the skim milk and butterfat subtracted from Class I pursuant to § 980.46(a)(5) and the corresponding step of § 980.46(b) which is not in excess of the skim milk and butterfat remaining in Class II in the previous month pursuant to § 980.46 (a) (5) and the corresponding step of § 980.46(b); and

[F.R. Doc. 60-6264; Filed, July 6, 1960; 8:54 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 514]

[Reg. Docket No. 162]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS PARTS, PROCESSES, AND APPLIANCES

Oxygen Mask Assembly

Pursuant to the authority delegated to me by the Administrator (§ 405.27, 24 F.R. 2196), a notice of proposed rule making to amend Part 514 of the regulations of the Administrator by adding § 514.69 establishing minimum performance standards for oxygen masks for use on civil aircraft of the United States engaged in air carrier operations, was published in 24 F.R. 8682.

Due consideration was given to all comments received and as a result, the FAA Standard in the original proposal is being replaced by an industry standard recently made available. As the change is of a substantive nature, this new proposal will replace the notice of proposed rule making, 24 F.R. 8682, which is hereby withdrawn.

Interested persons may participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before August 22, 1960, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of the comments received. All comments submitted will be available, in the Docket Section, for examination by interested persons when the prescribed date for return of comments has expired. This proposal will not be given further publication as a draft release.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421),

In consideration of the foregoing it is proposed to amend Part 514 as follows: By adding § 514.69 as follows:

§ 514.69 Oxygen mask assembly, continuous flow, passenger (for air carrier aircraft)—TSO-C64.

(a) Applicability—(1) Minimum performance standards. Minimum perstandards formance are hereby established for passenger oxygen masks which are to be approved for use on civil aircraft of the United States. New models of passenger oxygen masks manufactured for installation on civil aircraft on or after the effective date of this section shall meet the standards set forth in AIA National Aircraft Standard, NAS 1179, "Oxygen Mask Assembly, Passenger," dated December 1959,1 with exceptions to the standard listed in subparagraph (2) of this paragraph.2 Passenger oxygen mask models approved by the Administrator prior to the effective date of this section may continue to be manufactured under the provisions of their. original approval.

(2) Exceptions. (i) The following specifically numbered subparagraphs in NAS 1179 do not concern minimum performance and therefore are not essential to compliance with this section: Parts 2.0 in its entirety, 3.1.1, 3.1.2, 3.1.3.7, 3.1.8, 3.1.10, 3.1.12, 3.2.1, 3.2.4, 3.3.7.1, 3.3.10, 3.3.11 in its entirety, 4.1.7.2, 4.1.7.3, 4.1.7.4, 4.1.9 in its entirety, 4.1.11, 4.2, 4.3.5, and 5.2 through 5.8.

(ii) Revisions to subparagraphs of NAS 1179 noted herein shall be a part of this standard.

(i) 1.1 Purpose

Replace text by: This specification defines the minimum requirements for the design, construction, and performance of a continuous flow oxygen mask for emergency use by passengers in civil aircraft operating at cabin pressure altitudes above 25,000 feet and up to and including 40,000 feet.

(ii) 1.2 Description

Replace last sentence by: The assembly shall be capable of being stowed suitably to meet the requirements of its intended use.

(iii) 3.1.3.4 Elastomer Components Conformance not required with the phrase at the end of the first sentence "unless specifically approved by the buyer" and with the last sentence.

(iv) 3.1.7 Interchangeability

Conformance is required with the first sentence only.

(v) 3.2.2.5 Attachment of Strap Assembly

In title and in text replace "strap assembly" by "mask suspension device."

(vi) 3.2.2.6 Provision for Attachment of Actuation Cord

Replace "5" by "20".
(vii) 3.2.3 Strap Assembly
In title replace "strap assembly" by "mask
suspension device" and replace text by:

A simple mask suspension device shall be provided for holding the mask on the user's face. The device shall have such dimensions and elastic properties that it shall be possible to hold the mask to the face without adjustment and at the same time it shall present minimum discomfort to the wearer. A simple means for adjusting the tightness of the mask shall be provided. A single strap attached to the mask at both ends to form a continuous lock, having the properties described above, is considered satisfactory. The device shall not interfere with the stowage of the mask.

(viii) 3.2.5 Reservoir Bag
Replace "one liter minimum capacity" by "minimum and maximum capacity of 800 to 1000 cc., respectively".

(ix) 3.2.6 Tubing

Replace the first sentence by: The oxygen supply tube which is to be used for connecting the mask assembly to the oxygen supply source shall be light in weight, and shall be adequate for its intended use.

(x) 3.3.1.1 Stowage Configuration

Replace text by: The mask assembly including the supply tubing shall be capable of being stowed in such a manner as to be ready for its intended use.

(xi) 3.3.2.2 Altitude

Replace "45,000 feet." by "the maximum altitude for which approval is desired."

¹Copies may be obtained from Aerospace Industries Association of America, Inc., 610 Shoreham Building, Washington 5, D.C.

²When passengers' oxygen masks are installed on civil aircraft the installation must comply with the functional and installational requirements of Civil Air Regulations as applicable.

(xii) 3.3.5.1 Assembly

Replace text by: The mask assembly, including the attachment to the oxygen supply, shall withstand without damage a static load of 50 pounds applied at the facepiece for a period of not less than three seconds.

(xiii) 3.3.8.1 Inlet Suction Replace "0.80" and "2.0" by "0.6" and "1.2" respectively.
(xiv) 3.3.9 Mask Performance

Replace text by: It is the intent of this standard that the mask assembly be capable of meeting or exceeding the performance requirements of this standard under all conditions of Figure 3.
(xv) 4.1 Qualification Test by the Vendor

Replace test by: Any of the tests required by this standard which have been performed on similar units may be omitted, provided that the manufacturer shows in the test report proof of the applicability of such tests.

(xvi) 4.1.3.1 Inward Flow Resistance Replace "0.8" and "2.0" by "0.6" and "1.2" respectively.

(xvii) 4.1.4.1 Mask 'Assembly Strength Tests

Replace "20" by "50".

(xviii) 4.1.6 Vibration Test

Replace first sentence by: Set up the mask for a vibration test with the mask in a rigid box stowage configuration.

(xix) 4.1.7 Performance Tests
In the first sentence replace "is to be determined" by "in the inspired gas may be estimated".

Add to the end of the first paragraph: Other acceptable methods for determining the oxygen percentage in the inspired gas include gas measurements made directly on inspired gas and in tests at altitude on human subjects, such as oximeter measurements. When an oximeter is used, arterial saturation values of 98, 95, 89, and 79, shall be considered to correspond to oxygen partial pressures in the inspired gas of 149, 122, 100, and 83.8 mm. Hg, respectively.

(xx) 4.1.7.1 Human Subjects

Replace text of item (c) by: Adjust mask

manually to fit the face.

Conformance with the statement "Test at ground level conditions as indicated below:' is not required.

Replace text of paragraph starting with "Establish respiratory minute volume * * * ." by the following:

Establish the respiratory minute volume of each individual after determining the composition of gases inspired into the lungs under the test conditions. The values obtained on all individuals tested must be reported, and only one test per individual is permitted. The actual value of the minute volume found in each test shall be identifiable for each F/MV value given in the test data and reports. In tests at ground level. at least 20 percent of the individuals tested shall have MV values greater than, and 20 percent less than, 20 lpm BTPS for each range of F/MV for which tests are required. The number of individuals tested for each range of volume of F/MV shall be as follows:

Following the table at the end, insert this paragraph:

At least 10 subjects shall be tested at altitudes above 10.000 feet at intervals no greater than 7,500 feet up to and including the maximum altitude for which approval is desired. The subjects should be approximately equally distributed among the altitude intervals used for testing.

(xxi) 4.1.7.5 Cold Tests

Replace text by: The mask shall function properly without appreciable delay after being exposed to an ambient temperature of

40° C. (-40° F.) for two hours. (xxii) 4.1.7.6 Performance Analysis

Replace text by: Using the results obtained in paragraph 4.1.7.1, establish a mask performance curve. In establishing this curve,

a maximum of 5 percent of the values obtained in ground level testing may fall below the curve, provided these values appear to be randomly distributed with respect to the test conditions. No more than 5 percent of all values obtained in altitude testing may fall below the curve.

(xxiii) 4.1.8 Performance Tests

In the first sentence replace "is to be determined" by "in the inspired gas may be estimated".

Add to the end of the first paragraph: Other acceptable methods of determining the oxygen percentage in the inspired gas include measurements made directly on the inspired gas. For tests on human subjects at altitude, oximeter measurements are acceptable. When an oximeter is used, arterial saturation values of 98, 95, 89, and 79 shall be considered to correspond to oxygen partial pressures in the inspired gas of 149, 122, 100

and 83.8 mm. Hg, respectively.

(xxiv) 4.1.8.1 Human subjects—"Typical Fit Leak Value"

In the first sentence of first paragraph re-place "100" by "75". Revise the third paragraph on "Briefing"

in accordance with changes made in paragraph 4.1.7.1(c).

Replace text of second sentence of the paragraph beginning with "The subject
* * " by: "Instruct subject to inhale and hold his breath".

Add the following to the end of the paragraph beginning "Repeat this test * * *.":
The values obtained on all individuals must be reported, and only one test per individual shall be permitted. Mask leak value including mask peripheral leakage determination shall be made in accordance with commonly accepted procedures. The value of the leak rate below which 95 percent of the test results fall shall be the typical leak value for the mask. The value shall be reported in the test data and test report(s).

Add a new paragraph which reads:

At least 10 of the subjects shall be tested at the maximum altitude for which approval is desired in accordance with the test procedure outlined in this paragraph or in paragraph 4.1.7.

(xxv) 4.1.8.3 Breathing Machine Tests Replace text by: The tests specified in paragraph 4.1.7.1 shall be applicable but the use of a breathing machine in place of the human subjects specified is permissible. The validity of the performance tests prescribed in this paragraph shall be demonstrated at ground level conditions in accordance with the test procedures contained in paragraph 4.1.7, and at the maximum altitude for which approval is desired on at least 10 human The data obtained on subjects at altitude in paragraph 4.1.8.1 may be used to demonstrate the validity of the machine performance tests at altitude.

Conformance with the provisions of 4.1.7.5 cold tests is required.

(xxvi) 4.1.8.4 Performance Analysis Replace text by: Conformance with the provisions of 4.1.7.6 of this standard is re-

(xxvii) 4.3.1 Strength Tests In the first sentence replace "20" by "50". (xxviii) 4.3.2.1 Inward Flow Resistance Replace "0.80" and "2.00" by "0.6" and "1.2", respectively.

(xxix) 4.3.4 Other Tests

Delete the remainder of the first sentence after "level".

(iii) Miscellaneous deviations.

(i) Conformance with Figures 2 and 5 is not required. Replace these figures by the following Table 1 of this standard and a performance curve derived therefrom:

F/MV=Ratio of Added Oxygen to Minute Volume

%O,=Percentage of Total Oxygen

F/MV	% O2	F/MV	% O ₂
0.00	20.9	1. 05	81.5
. 10	27.2	1.10	83
.20	33.5	1. 15	84
. 30_`	40	1.20	85
. 40	46.2	1. 25	86
. 50	52.8	1.30	86.5
, 60	59	1.35	87
. 65	62. 2	1.40	87. 5
. 70	65.5	1.45	88
. 75	68. 5	1. 50	88.5
. 80	71.5	1.55	89
. 85	74	1.60	89.5
. 90	76.5	1.65	90
. 95	78. 5	1.70	90.5
1.00	80	1.75	91

TABLE 1

- (ii) Conformance with any of the provisions of NAS 1180 is not required.
- (b) Marking. In addition to the markings specified in § 514.3 the Elastomer Cure Date and Class Number shall be shown.
- (c) Class number. (1) An oxygen mask with a performance curve which equals or exceeds the performance curve derived from Table 1 shall be classified as Class 40. This mask shall be considered satisfactory for supplying supplemental oxygen at cabin pressure altitudes up to 40,000 feet.
- (2) An oxygen mask with a performance curve which equals or exceeds a portion of the performance curve shall be approved for use only up to the maximum altitude where its performance meets or exceeds the performance curve. This mask shall be considered satisfactory for supplying supplemental oxygen at cabin pressure altitudes up to the maximum altitude for which it is approved. Example: A mask which is capable of supplying enough oxygen to meet the needs up to 30,000 feet cabin pressure altitude shall be marked as Class 30.
- (d) Data requirements. (1) The manufacturer shall maintain a current file of complete design data.
- (2) The manufacturer shall maintain a current file of complete data describing the inspection and test procedures. applicable to his product. (See paragraph (e) of this section.)
- (3) Six copies each of the following shall be furnished to the Chief, Engineering and Manufacturing Division, Bureau of Flight Standards, Federal Aviation Agency, Washington 25, D.C.
- (i) Manufacturer's operating, stowing, overhaul, and maintenance instructions.
 - (ii) A drawing of the mask assembly.
- (iii) Installation procedures drawings and specifications. Indicate any limitations, restrictions, or other conditions pertinent to installation.
- (e) Quality control. Each oxygen mask shall be produced under a quality control system, established by the manufacturer, which will assure that each oxygen mask is in conformity with the requirements of this standard and is in condition for safe operation. This system shall be described in the data required under paragraph (d)(2) of this section. A representative of the Administrator shall be permitted to make such inspections and tests at the manufacturer's facility as may be necessary to determine compliance with the requirements of this standard.

Issued in Washington, D.C., on June 29, 1960.

OSCAR BAKKE, Director, Bureau of Flight Standards.

[F.R. Doc. 60-6203; Filed, July 6, 1960; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 13340; FCC 60-766]

INTERIM POLICY ON VHF TELEVISION CHANNEL ASSIGNMENTS; TELEVISION ENGINEERING STANDARDS

Further Notice of Proposed Rule Making

1. Pursuant to our notice of extension of time for filing comments in the above-entitled proceeding (FCC 60-668) issued on June 9, 1960 there are attached Field Strength Charts ¹ for Channels 2-6 and

Channels 7-13. These charts are substituted for similar charts previously released in this proceeding.

2. The charts for Channels 2-6 are the same as those issued with our May 5, 1960, notice except for the label. The charts for Channels 7-13 were derived by merging the present high VHF Ad Hoc groundwave curves with the latest RPAC tropospheric curves.

3. The charts may be used for the preparation of comments and data in this proceeding and, in the absence of more refined data with respect to radio wave propagation, are proposed to replace the Field Strength Charts for the VHF channels in § 3.699 of the Commission's rules. The Commission will continue to seek additional data and measurements as well as refinements of the methods of analysis and prediction, in an effort to improve the accuracy and reliability of these charts.

Adopted: June 29, 1960.

Released: July 1, 1950.

FEDERAL COMMUNICATIONS

COMMISSION, [SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6255; Filed, July 6, 1960; 8:52 a.m.]

[·] ¹ Charts filed as part of the original document.

Notices

DEPARTMENT OF AGRICULTURE

Agricultural Research Service
IDENTIFICATION OF CARCASSES OF
CERTAIN HUMANELY SLAUGHTERED LIVESTOCK

Supplemental List of Humane Slaughterers

Pursuant to section 4 of the Act of August 27, 1958 (7 U.S.C. 1904) and the statement of policy thereunder in 9 CFR 181.1, the following table lists the establishments operated under Federal inspection under the Meat Inspection Act (21 U.S.C. 71 et seq.) which were officially reported during the period of June 1 to June 24, inclusive, as humanely slaughtering and handling the species of livestock respectively designated for such

establishments in the table. This listing is a supplement to the publication issued on June 28 (25 F.R. 5954) and represents those establishments and species which were reported too late to be included in the earlier publication, or which have come into compliance with respect to species indicated since the official June 1 report was completed. The establishment number given with the name of the establishment is branded on each carcass of livestock inspected at that establishment. The table should not be understood to indicate that all species of livestock slaughtered at a listed establishment are slaughtered and handled by humane methods unless all species are listed for that establishment in the table. Nor should the table be understood to indicate that the affiliates of any listed establishment use only humane methods:

Name of establishments	Establishment No.	Cattle	Calves	Sheep	Goats	Swine	Horses
Armour & Co	3B	(*)	(3)	(*)		(*)	
Do Do Wilson & Co., Inc Swift & Co	23	(3)	(\$)	()		8	
The Quaker Oats Co. Swift & Co. Morris Packing Co. Peyton Packing Co. York Packing Co, Inc.	104 113 126	(;)	(*)	(*) (*)	(*)	(3)	(*)
Shapiro Pekg. Co., Inc. Nobles Ind. Meat Co. Fresno Meat Pekg. Co.	332 335 354	(3)	(3)				
Eldridge Pckg. Co. Quaker City Packing Co. Mid South Packers, Inc. Armour & Co.	478 518E 557 680	· (+)				8	(4)
Diamond Meat Co. Granite State Packing. G. Bartusch Pckg. Co. Long Creek Meat Co.	783 785 843	333333	(3)				
Sambol Packing Co. J. Doctorman & Son Pekg Stokely Foods, Inc. Klarer Dixie, Inc.	892 949 955A		(*)	(*)		(*)	
Food Fair Stores, Inc. MCDE Peking P Proc. Co	1016	(3)		(*)		(*)	

Done at Washington, D.C., this 30th day of June 1960.

A. R. MILLER,
Director, Meat Inspection Division,
Agricultural Research Service.

[F.R. Doc. 60-6232; Filed, July 6, 1960; 8:50 a.m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce [Case No. 270]

OFFICE APPLIANCE CO. (1955) LTD.
ET AL.

Order Revoking Export Licenses and Denying Export Privileges

In the matter of The Office Appliance Company (1955) Ltd., P. S. Chow, Alexandra House, 18 Chater Road, Hong Hong; Commercial Appliance Company, W. W. Sung, 12 Wellington Street, Hong Kong; respondents, Case No. 270. By charging letter of December 18, 1959, the Director, Investigation Staff, Bureau of Foreign Commerce, has charged the respondents, The Office Apliance Company (1955) Ltd., P. S. Chow, Commercial Appliance Company, and W. W. Sung, with violations of the Export Control Act of 1949, as amended, and regulations promulgated thereunder, in connection with unauthorized reexportations and transshipments to Communist China of sixteen (16) calculating machines which were licensed for export from the United States to Hong Kong as the ultimate destination.

On January 13, 1960 the charging letter was duly served upon the respond-

ents, The Office Appliance Company (1955) Ltd., and P. S. Chow. By their answers, dated January 25, 1960, to the charging letter, these respondents have admitted the charges therein against them and have submitted reasons in mitigation thereof. By letter of April 15, 1960 from their attorneys to the Director, Investigation Staff, they have, without prejudice and for the purpose of this compliance proceeding only, admitted the facts and charges in the charging letter, waived oral hearing thereon before a Compliance Commissioner, and consented to the entry of an order against them under which, in substance, both respondents would be denied all export privileges for the period of two years, with curtailment of the effective denial to six months in the case of The Office Appliance Company (1955) Ltd. and twelve months in the case of P. S. Chow. On May 2, 1960 the Director, Investigation Staff, agreed to this consent order. On May 4, 1960, in accordance with § 382.10 of the Export Regulations, the Compliance Officer to whom this matter had been assigned held an informal conference, with the attorneys for the aforesaid respondents present, when the attorney of the Department of Commerce General Counsel's Office informally presented evidence in this case.

Service of the charging letter upon respondents, Commercial Appliance Company and W. W. Sung, was effected within the terms of § 382.3(b) of the Export Regulations. On January 13, 1960, the charging letter was transmitted by registered mail in Hong Kong to each of the aforesaid respondents at their last known address. The Hong Kong Post Office returned these, marked "Unclaimed". Further efforts by the Hong Kong Post Office and U.S. Government authorities to deliver the charging letter to these respondents were unsuccessful inasmuch as these respondents could not be located at their last known address or other locations. No answers have been filed by Commercial Appliance Company and W. W. Sung. Consequently, they were deemed to be in default within the terms of § 382.4 of the Export Regulations. The matter against these respondents came on for hearing on May 4, 1960, before the Compliance Commissioner to whom the case had been assigned, at which hearing the attorney of the Department's General Counsel's Office presented evidence in support of the charges against these respondents. In accordance with § 382.7 of the Export Regulations, notice of this hearing was not given to these respondents and they were not present or represented by counsel, inasmuch as they were in default. had failed to file answers, and had not requested a hearing. Under § 382.4 of the Export Regulations, they have the privilege, at any time after an order may

be issued against them, of applying to set aside their default and vacate such order.

On the basis of the foregoing and hisreview of the pleadings and evidence, the Compliance Commissioner has submitted to me his report and recommendation wherein he has recommended acceptance of the consent order against The Office Appliance Company (1955) Ltd. and P. S. Chow, and the denial to Commercial Appliance Company and W. W. Sung of all export privileges for the duration of such controls.

Now, after considering the entire record including the report and recommendation of the Compliance Commissioner, I hereby make the following findings of fact:

- 1. During the times herein involved, P. S. Chow and W. W. Sung were residents of Hong Kong. Chow was a director of, and manager of sales and service for, The Office Appliance Company (1955) Ltd., located in Hong Kong and engaged in the business of importing, distributing and selling office machines, equipment and supplies. Sung was the owner of Commercial Appliance Company, located in Hong Kong and engaged in the business of retail sales of office machines, equipment and supplies.
- 2. During or about June 1957 through August 1958, The Office Appliance Company (1955) Ltd., placed orders with an American manufacturer-exporter for sixteen (16) calculating machines to be exported from the United States to Hong Kong. In support of these orders, there were submitted U.S. Department of Commerce, Bureau of Foreign Commerce, Forms FC-842, entitled "Single Transaction Statement by Consignee and Purchaser." These were signed and executed for The Office Appliance Company (1955) Ltd., by its managing director. They contained representations that the machines were for resale and use in Hong Kong and would not be sold for use outside Hong Kong.
- 3. During the aforesaid period, on the basis of export license applications submitted by the American manufacturer-exporter which were supported by the aforesaid forms containing said representations, the Bureau of Foreign Commerce issued validated export licenses authorizing the shipments of these machines to Hong Kong as the ultimate destination. The machines were shipped to, and received by, The Office Appliance Company (1955) Ltd in Hong Kong.
- Company (1955) Ltd. in Hong Kong.

 4. During the aforesaid period, The Office Appliance Company (1955) Ltd. and P. S. Chow sold the aforementioned machines to Commercial Appliance Company and W. W. Sung who, in turn, resold and delivered them to a semi-official purchasing agency of the Communist Chinese Government in Hong Kong. The machines were reexported and transshipped to Communist China.
- 5. Before and at the time of these sales by The Office Appliance Company and P. S. Chow to Commercial Appliance Company and W. W. Sung, all of them knew that the machines would be resold and reshipped to Communist China as the ultimate destination.

- 6. With respect to each of the exportations of these machines from the United States, the shipper's export declarations, the commercial invoices, and the bills of lading all bore destination control notices to the effect that the commodities were licensed by the United States for Hong Kong as the ultimate destination and that diversion contrary to U.S. law was prohibited. These commercial invoices and bills of lading were received by The Office Appliance Company (1955) Ltd. and P.S. Chow.
- 7. All of the respondents knew that the machines had been licensed by the United States Government for resale and use in Hong Kong as the ultimate destination, and that their reexportation, transshipment or diversion to Communist China was prohibited under U.S. law and regulations without prior notification to and specific authorization from the U.S. Government.
- 8. Neither the respondents nor anyone on their behalf notified, or received permission or authorization from, the United States Government for the resales and reexportations of these machines to Communist China.
- 9. The respondents arranged and carried out these transactions without disclosure of, and in a manner designed to conceal, their true knowledge, intentionsand actions. In the course of a routine preliminary end-use check by U.S. Government authorities to verify the representations made in connection with the export license applications, the respondents initially provided false and misleading information and withheld material information. Ultimately, how-ever, the respondents admitted they had knowingly arranged and carried out these transactions for the ultimate sales and deliveries of these machines to Communist China despite, and contrary to, U.S. law and regulations.

From the foregoing, the following are my conclusions:

The respondents, The Office Appliance Company (1955) Ltd., P. S. Chow, Commercial Appliance Company, and W. W. Sung, knowingly caused, aided, abetted and permitted the doing of acts pro-hibited by, and the omission of acts required by, the U.S. Export Control Act of 1949, as amended, and regulations, orders and licenses issued thereunder; bought, received, sold, disposed of, and financed commodities exported from the United States with knowledge that violations of the Export Control Act, regulations, orders and licenses had occurred. were intended to occur, and would occur; made false and misleading representations and statements, and falsified and concealed material facts, to United States Government authorities in the course of an investigation instituted under the authority of the Export Control Act; and, without authorization from the Bureau of Foreign Commerce, knowingly exported, disposed of, diverted, transshipped and reexported U.S. origin commodities to and for ultimate consignees, uses and destination contrary to the terms, provisions and conditions of export licenses, export control documents, prior representations, and destination control notices related to their

exportation from the United States. Thereby, the said respondents have violated §§ 381.2, 381.4, 381.5(a)(1), and 381.6 of the Export Regulations.

In his report, the Compliance Commissioner said:

Compliance orders are not primarily intended to impose penalties. Rather, they are essentially remedial actions, the primary objectives of which are to achieve effective enforcement of the U.S. Export Control Act and the regulations and orders issued thereunder, to deter violations, and to establish corrective values and standards of conduct consistent with the U.S. Government policies set forth in the Act.

These objectives already appear to have been substantially achieved in the case of The Office Appliance Company (1955) Ltd. and P.S. Chow. Standing in their favor are their eventual admissions of wrong-doings, their repentance, their ultimate efforts to cooperate with the U.S. Government, and their promises to avoid recurrences of violations.

The Office Appliance Company (1955) Ltd. has already suffered substantial financial loss as a result of adverse publicity, cancellations of agency representations for some American companies, and decreased sales. Although U.S. Department of Commerce compliance proceedings are not related to actions of the U.S. Treasury Department, it has not escaped notice that, around May 1, 1959, The Office Appliance Company (1955) Ltd. and P. S. Chow were placed on the List of Designated China Nationals by the Foreign Assets Control Division of the Treasury Department.

The facts in this case, particularly the admissions against interest by W. W. Sung in his letters of March 27 and 28, 1959, to P. S. Chow and the American Consulate General's Office in Hong Kong, disclose that Sung conceived the idea of making these sales and reexportations of U.S. origin calculating machines to Communist China, and he induced P. S. Chow to engage in these transactions, despite Chow's initial reluctance to do so. While this does not diminish Chow's responsibility for his violations, in a sense it tends to place more of the culpability on Sung than on Chow.

Thus, it is my considered opinion that it would be reasonable, fair and just to approve the consent order relating to The Office Appliance Company (1955) Ltd. and P. S. Chow and to issue a much stricter order against Commercial Appliance Company and W. W. Sung.

Now, therefore, after careful consideration of the entire record, and being of the opinion that the recommendation of the Compliance Commissioner and the following order are reasonable, fair, just, and necessary to achieve effective enforcement of the Export Control Act and regulations, orders and licenses issued thereunder: It is hereby ordered:

I. All outstanding validated export licenses in which the respondents, The Office Appliance Company (1955) Ltd., P. S. Chow, Commercial Appliance Company, and W. W. Sung, or any of them, appear or participate as purchaser, intermediate or ultimate consignee, or otherwise, are hereby revoked and shall be returned forthwith to the Bureau of Foreign Commerce for cancellation.

II(a). Henceforth and so long as export controls shall be in effect, the respondents, Commercial Appliance Company and W. W. Sung, their successors, or assigns, officers, partners, representatives, agents and employees, hereby are denied all privileges of par-

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ticipating, directly or indirectly, in any manner or capacity, in any exportation of any commodity or technical data from the United States to any foreign destination, including Canada.

II(b). For the period of two years from the date of this order, except as qualified by Parts IV(a) and IV(b), the respondents, The Office Appliance Company (1955) Ltd., and P. S. Chow, their successors or assigns, officers, partners, representatives, agents and employees, hereby are denied all privileges of participating, directly or indirectly, in any manner or capacity, in any exportation of any commodity or technical data from the United States to any foreign destination, including Canada.

II(c). Without limitation of the generality of the foregoing denials of export privileges, participation in an exportation is deemed to include and prohibit participation by them or any of them, directly or indirectly, in any manner or capacity, (a) as parties or as representatives of a party to any validated export license application, (b) in the preparation or filing of any export license application or of any document to be submitted therewith, (c) in the obtaining or using of any validated or general export license or other export control document, (d) in the receiving, ordering, buying, selling, delivering, using, or disposing in any foreign country of any commodities or technical data in whole or in part exported or to be exported from the United States, and (e) in the storing, financing, forwarding, transporting, or other servicing of such exports from the United States.

III. These denials of export privileges shall extend not only to the respondents, but also to any person, firm, corporation, partnership or business organization with which any of them may be now or hereafter related by affiliation, ownership, control, position of responsibility, or other connection in the conduct of trade which may involve exports from the United States or services connected therewith.

IV(a). Six months after the date hereof, without further order of the Bureau of Foreign Commerce, The Office Appliance Company (1955) Ltd. shall have its export privileges restored to it conditionally, the condition for such restoration being that, during the said two year period following the date hereof, the said respondent shall comply in all respects with this order and with all requirements of the Export Control Act of 1949, as amended, and all regulations, licenses and orders issued thereunder.

IV(b). Twelve months after the date hereof, without further order of the Bureau of Foreign Commerce, P. S. Chow shall have his export privileges restored to him conditionally, the condition for such restoration being that, during the said two year period following the date hereof, the said respondent shall comply in all respects with this order and with all requirements of the Export Control Act of 1949, as amended, and all regula-

tions, licenses and orders issued thereunder.

V. The privileges so conditionally permitted to the respondents, The Office Appliance Company (1955) Ltd. and P. S. Chow, under Part IV hereof may be revoked summarily and without notice upon a finding by the Director of the Office of Export Supply, or such other official as may at that time be exercising the duties now exercised by him, that any respondent has knowingly failed to comply with the conditions applicable to him or it as set forth in Part IV hereof, in which event Part II hereof, insofar as it shall apply to such respondents, shall then be and become effective (a) as to The Office Appliance Company (1955) Ltd. for an additional eighteen months thereafter or until two years from the date hereof, whichever shall be later, and (b) as to P. S. Chow for an additional twelve months thereafter or until two years from the date hereof, whichever shall be the later, without thereby precluding the Bureau of Foreign Commerce from taking such other and further action based on such violation or violations as it shall deem warranted. In the event that such supplemental order is issued, such respondents and related parties as are involved therein shall have a right to review thereof, as provided in the Export Regulations.

VI. During the time when any respondent or related party is prohibited from engaging in any activity within the scope of Part II hereof, no person, firm, corporation, partnership or other business organization, whether in the United States or elsewhere, without prior disclosure to and specific authorization from the Bureau of Foreign Commerce, shall do any of the following acts, directly or indirectly, in any manner or capacity, on behalf of or in any association with any such respondent or related party, or whereby any such respondent or related party may obtain any benefit therefrom or have any interest or participation therein, directly or indirectly: (a) Apply for, obtain, transfer, or use any license, shipper's export declaration, bill of lading, or other export control document relating to any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States, by, to, or for any such respondent or related party denied export privileges; or (b) order, buy, receive, use, sell, deliver, store, dispose of, forward, transport, finance, or otherwise service or participate in, any exportation, reexportation, transshipment, or diversion of any commodity or technical data exported or to be exported from the United States.

VII. In accordance with the provisions of § 382.4(b) of the Export Regulations, Commercial Appliance Company and W. W. Sung may, at any time hereafter, move to set aside their default and vacate this order by filing an application, as prescribed together with evidentiary data in support thereof, with the Director, Office of Export Supply, Bureau of

Foreign Commerce, U.S. Department of Commerce, Washington 25, D.C. This order as issued to these respondents shall continue in full force and effect, however, until a further order is made modifying or terminating it.

Dated: June 29, 1960.

John C. Borton, Director, Office of Export Supply.

[F.R. Doc. 60-6234; Filed, July 6, 1960; 8:50 a.m.]

Federal Maritime Board ALASKA STEAMSHIP CO.

Notice of Tentative Findings Justifying the Continuance of Bareboat Charter Covering 3 C1-M-AV1 Type Government-Owned Vessels

Notice is hereby given that the Federal Maritime Board has tentatively found, in accordance with section 5(e)(1), Merchant Ship Sales Act of 1946, as amended, that conditions exist justifying the continuance of the bareboat charters covering the government-owned C1-M-AV1 type vessels "Coastal Monarch", "Coastal Nomad", and "Coastal Rambler", presently under charter to Alaska Steamship Company, which were due for annual review on or about June 30, 1960.

Any interested person may request a hearing with respect to the Board's findings by filing written objections, in triplicate, stating the reasons therefor, with the Secretary, Federal Maritime Board, Washington 25, D.C., by close of business on July 15, 1960.

The findings will become final if no objection thereto or no request for a hearing is received.

Dated: July 1, 1960.

By order of the Federal Maritime Board.

James L. Pimper, Secretary.

[F.R. Doc. 60-6241; Filed, July 6, 1960; 8:53 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-157]

CORNELL UNIVERSITY

Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of notice of proposed action with the Office of the Federal Register on June 8, 1960, the Atomic Energy Commission has issued Construction Permit No. CPRR-58, substantially as set forth in the notice, authorizing Cornell University to construct a 10-kilowatt thermal TRIGA reactor facility on the University's campus in Ithaca, New York. Notice of the proposed action was published in the Federal Register on June 10, 1960, 25 F.R. 5191.

Dated at Germantown, Md., this 29th day of June 1960.

For the Atomic Energy Commission.

R. L. KIRK,

Deputy Director, Division of

Licensing and Regulation.

[F.R. Doc. 60-6197; Filed, July 6, 1960; 8:45 a.m.]

[Docket No. 50-167]

LOCKHEED AIRCRAFT CORP.

Proposed Issuance of Facility License

Please take notice that, unless within fifteen days after the filing of this notice with the Office of the Federal Register a request for a formal hearing is filed with the United States Atomic Energy Commission by the applicant or an intervener as provided by the Commission's rules of practice (Title 10, Chapter I, Part 2), the Commission proposes to issue to Lockheed Aircraft Corporation, Burbank, California, a facility license substantially as set forth below authorizing the possession and operation at the Georgia Nuclear Laboratories, Air Force Plant No. 67 in Dawson County, Georgia, of a pool-type nuclear reactor at power levels up to 10 watts (thermal). Prior to issuance of the license the reactor will be inspected by representatives of the Commission to determine whether it has been constructed in accordance with the provisions of Construction Permit No. CPRR-56, as amended. Petitions for leave to intervene shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25. D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

For further details see (1) the application submitted by Lockheed Aircraft Corporation and amendments thereto, and (2) a hazards analysis prepared by the Hazards Evaluation Branch of the Division of Licensing and Regulation, both on file at the AEC's Public Document Room. A copy of item (2) above may be obtained at the AEC's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 29th day of June 1960.

For the Atomic Energy Commission.

R. L. KIRK, Deputy Director, Division of Licensing and Regulation.

PROPOSED LICENSE

1. This license applies to the light water cooled and moderated swimming pool-type nuclear reactor (hereinafter referred to as "the reactor") which is owned by Lockheed Aircraft Corporation and located at the Georgia Nuclear Laboratories, Air Force Plant No. 67 in Dawson County, Georgia, and described in the application dated April 29, 1960, and amendment thereto dated May 27, 1960, (hereinafter together referred to as "the application").

2. Pursuant to the Atomic Energy Act of 1954, as amended, (hereinafter referred to as "the Act") and having considered the record in this matter, the Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The reactor has been constructed in conformity with Construction Permit No. CPRR-56 issued to Lockheed Aircraft Corporation and will operate in conformity with the application and in conformity with the Act and with the rules and regulations of the Commission;

B. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public;

C. Lockheed Aircraft Corporation is technically and financially qualified to operate the reactor, to assume financial responsibility for payment of Commission charges for special nuclear material and to undertake and carry out the proposed use of such material for a reasonable period of time, and to engage in the proposed activities in accordance with the Commission's regulations;

D. The possession and operation of the reactor and the receipt, possession and use of the special nuclear material in the manner proposed in the application will not be inimical to the common defense and security or to the health and safety of the public; and

E. Lockheed Aircraft Corporation has submitted proof of financial protection which satisfies the requirements of Commission regulations currently in effect.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Lockheed Aircraft Corporation:

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities", to possess and operate the reactor as a utilization facility at the designated location in Dawson County, Georgia, in accordance with the procedures and limitations described in the application and this license:

B. Fursuant to the Act and Title 10, CFR, Chapter 1, Fart 70, "Special Nuclear Material", to receive, possess and use up to 2.905 kilograms of contained uranium 235 and 80 grams of plutonium in a Pu-BE source for use in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 30, "Licensing of Byproduct Material", to possess but not to separate such byproduct materials as may be produced by operation of the reactor.

4. This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50 and § 70.32 of Part 70, Title 10, Chapter 1, CFR, and to be subject to all applicable provisions of the Act, and to the rules and regulations and orders of the Commission, now or hereafter in effect, and to the additional conditions specified below:

A. Operating restrictions. Lockheed Aircraft Corporation shall not operate the reactor at power levels in excess of 10 watts (thermal) without prior written authorization from the Commission.

B. Records. In addition to those otherwise required under this license and applicable regulations, Lockheed Aircraft Corporation shall keep the following records:

- 1. Reactor operating records, including
- 2. Records of in-pile irradiations.
- 3. Records showing radioactivity released or discharged into the air or water beyond the effective control of Lockheed Aircraft Corporation as measured at the point of such release or discharge.
- 4. Records of emergency reactor scrams, including reasons for emergency shutdowns.

C. Reports. Lockheed Aircraft Corporation shall immediately report to the Commission in writing any indication or occurrence of a possible unsafe condition relating to the operation of the reactor.

5. This license is effective as of the date of issuance and shall expire at midnight Sep-

tember 1, 1960.

. Date of issuance:

For the Atomic Energy Commission.

[F.R. Doc. 60-6198; Filed, July 6, 1960; 8:45 a.m.]

[Docket No. 50-94] '

NORTH AMERICAN AVIATION, INC. Issuance of Utilization Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 1, set forth below, to License No. R-40. The amendment authorizes North American Aviation, Inc., to possess and operate the 10 watt (thermal) nuclear research reactor designated as the "L-77" at a new location at the DeSoto facility of North American Aviation, Inc., in Canoga Park, California as requested in its applications for license amendments dated February 8, 1960 and March 29, 1960. Prior public notice of the proposed issuance of this amendment was published in the FEDERAL REGISTER on June 10, 1960, 25 F.R. 5192.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty days after issuance of the license amendment. Petitions for leave to intervene or requests for formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street, Washington, D.C. For further details see (1) the applications for license amendments dated February 8, 1960 and March 29, 1960, submitted by North American Aviation, Inc. and (2) a hazards analysis of the proposed operation prepared by the Hazards Evaluation Branch of the Division of Licensing and Regulation, both on file at the AEC's Public Document Room. A copy of item (2) above may be obtained at the AEC's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 28th day of June 1960.

For the Atomic Energy Commission.

H. L. PRICE,
Director, Division of
Licensing and Regulation.

[License No. R-40; Amdt. 1]

License No. R-40 is revised in its entirety to read as follows:

1. The Atomic Energy Commission (hereinafter "the Commission") finds that:

- A. The solution-type 10 watt nuclear research reactor authorized for construction by Construction Permit CPRR-54 issued to North American Aviation, Inc., has been constructed in accordance with the specifica-tions contained in the application;
 B. There is reasonable assurance that the
- reactor can be operated without endangering the health and safety of the public;
- C. North American Aviation, Inc., is technically and financially qualified to operate the reactor;
- D. Issuance of a license to possess and operate the reactor will not be inimical to the common defense and security or to the health and safety of the public;
- E. North American Aviation, Inc., has submitted proof of financial protection which satisfies the requirements of Commission regulations which are currently in effect.
- 2. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses North American Aviation, Inc.:
- A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter 1, Part 50, "Licensing of Production and Utilization Facilities" to possess and operate as a utilization facility the nuclear research reactor designated below:
- B. Pursuant to the Act and Title 10, CFR, Chapter 1, Part 70, "Special Nuclear Material", to possess and use 1.5 kilograms of contained uranium-235 as fuel for operation of the reactor:
- C. Pursuant to the Act and Title 10, CFR. Chapter 1, Part 30, "Licensing of Byproduct Material" to possess but not to separate such byproduct material as may be produced in the operation of the reactor.
- 3. This license applies to the reactor which is owned by North American Aviation, Inc., and located at Canoga Park, California, and described in North American Aviation, Inc.'s application dated January 20, 1958, and amendments thereto dated March 26, 1958, April 15, 1958, September 25, 1959, February 8, 1960, and March 29, 1960 (herein referred to as "the application"). The reactor is of the solution-type, is moderated by light water and uses as fuel a solution of uranyl sulfate containing uranium enriched to 20 percent or more in the isotope uranium-235. It is designed to operate at a thermal power level of ten (10) watts and is designated by North American Aviation, Inc., as the "L-77" reactor.
- 4. This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50; is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- a. Operating restrictions. (1) North American Aviation, Inc., shall operate the facility in accordance with the application.
- (2) North American Aviation, Inc., shall not operate the reactor at a power level in excess of 10 watts (thermal).
- (3) Materials having a reactivity value in excess of 0.5% may not be inserted into the exposure tubes.
- b. Records. In addition to those other-wise required under this license and applicable regulations, North American Aviation, Inc., shall keep the following records:
 (1) Reactor operating records, including
- power levels.
- (2) Records showing radioactivity released or discharged into the air or water beyond the effective control of North American Aviation, Inc., as measured at the point of such release or discharge.
- (3) Records of emergency scrams, including reasons for emergency shutdowns.
- c. Reports. North American Aviation, Inc., shall immediately report to the Com-

mission any indication or occurrence of a possible unsafe condition relating to the operation of the reactor.

5. This license is effective as of the date of issuance and shall expire at midnight May 16, 1978,

Date of issuance: June 28, 1960.

For the Atomic Energy Commission.

H. L. PRICE. Director, Division of Licensing and Regulation.

[F.R. Doc. 60-6199; Filed, July 6, 1960; 8:45 a.m.]

[Docket No. 50-166]

UNIVERSITY OF MARYLAND

Issuance of Construction Permit

Please take notice that no request for a formal hearing having been filed following the filing of the proposed action with the Office of the Federal Register on June 10, 1960, the Atomic Energy Commission has issued Construction Permit No. CPRR-53, substantially as set forth in the notice, authorizing The University of Maryland to construct a 10 kilowatt pool-type nuclear reactor on the University's campus in College Park, Maryland. Notice of the proposed action was published in the FEDERAL REG-ISTER June 11, 1960, 25 F.R. 5253.

Dated at Germantown, Md., this 29th day of June 1960.

For the Atomic Energy Commission.

Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 60-6200; Filed, July 6, 1960; 8:45 a.m.]

[Docket No. 27-7]

ISOTOPES SPECIALTIES CO.

Proposed Amendment of Byproduct and Source Material License

Please take notice that Isotopes Specialties Company, Division of Nuclear Corporation of America, Inc., 170 West Providencia, Burbank, California, holder of License No. 4–580–6, which authorizes the receipt of waste byproduct and source material for disposal in the Pacific Ocean, has applied for a license amendment which would:

- 1. Authorize the receipt, packaging and disposal of 20 grams of special nuclear material in addition to the 100 curies of byproduct material and 2,000 pounds of source material previously authorized.
- 2. Authorize the packaging of waste byproduct, source and special nuclear material for disposal at sea in additional types of containers described as "master drum containers" in application dated November 20, 1959 and concrete forms shown in drawings designated D-0047 and D-0048 submitted in their application dated October 1, 1959.

The AEC has reviewed the application for amendment and proposes to grant the amendment subject to appropriate limitations unless within fifteen (15) days after filing of this notice with the Federal Register Division, a petition to intervene and a request for a formal hearing are filed with the Commission in the manner prescribed in Title 10, Code of Federal Regulations, Chapter I, Part 2, rules of practice.

The application for license amendment and a hazards analysis thereof prepared by the Division of Licensing and Regulation are available for inspection at the Commission's Public Document Room, 1717 H Street NW., Washington 25, D.C.

Dated at Germantown, Md., this 24th day of June 1960.

For the Atomic Energy Commission.

H. L. PRICE: Director, Licensing and Regulation.

[F.R. Doc. 60-6239; Filed, July 6, 1960; 8:51 a.m.1

CIVIL AERONAUTICS BOARD

[Docket 10741]

GREAT LAKES AIRLINES, INC., ET AL.

Notice of Hearing

In the matter of the complaint of Great Lakes Airlines, Inc. vs. Ralph Cox, Jr., United States Overseas Airlines, et al.

Notice is hereby given pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled matter is assigned to be held on July 26, 1960, at 10:00 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Curtis C. Henderson.

Dated at Washington, D.C., June 30, 1960.

[SEAL]

Francis W. Brown. Chief Examiner.

[F.R. Doc. 60-6259; Filed, July 6, 1960; 8:53 a.m.]

[Docket 9523 etc.]

REOPENED PUERTO RICO PASSENGER **FARE INVESTIGATION**

Notice. Reassigning Prehearing Conference

Pursuant to request, with agreement of all parties, that the prehearing conference now assigned for July 12, 1960, be advanced one day, the prehearing conference in the above-entitled proceeding is reassigned to be held July 11, 1960, at 2:00 p.m. e.d.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Thomas L. Wrenn.

Dated at Washington, D.C. June 30. 1960.

[SEAL]

FRANCIS W. BROWN, Chief Examiner.

(F.R. Doc. 60-6260; Filed, July 6, 1960; 8:53 a.m.]

[Docket 11042]

WYOMING AND SOUTH DAKOTA TO CHICAGO SERVICE INVESTIGATION

Notice of Prehearing Conference

In the matter of the investigation to determine whether the public convenience and necessity require single-plane service between points in Wyoming and South Dakota, on the one hand, and Chicago, Illinois, on the other.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on July 20, 1960, at 10:00 a.m., e.d.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Dated at Washington, D.C., June 30, 1960.

[SEAL]

FRANCIS W. BROWN, Chief Examiner.

[F.R. Doc. 60-6261; Filed, July 6, 1960; 8:53 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 13605-13607; FCC 60M-1115]

ABILENE RADIO AND TELEVISION CO. ET AL.

Order Scheduling Hearing

In re applications of Abilene Radio and Television Company, San Angelo, Texas, Docket No. 13605, File No. BPCT-2639; E. C. Gunter, San Angelo, Texas, Docket No. 13606, File No. BPCT-2663; Dornita Investment Corp., San Angelo, Texas, Docket No. 13607, File No. BPCT-2714; for construction permits for new television broadcast stations (Channel 3).

It is ordered, This 29th day of June 1960, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on September 27, 1960, in Washington, D.C.

Released: June 30, 1960.

Federal Communications Commission,

[SEAL]

BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6242; Filed, July 6, 1960; 8:51 a.m.]

[Docket No. 13514; FCC 60M-1102]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Continuing Hearing

In the matter of American Telephone and Telegraph Company, Docket No. 13514; regulations and charges for switching and selecting equipment (common user group and dual facility arrangements) for use with channels of telephone grade furnished for the remote

operation of mobile radio-telephone systems.

A prehearing conference in the aboveentitled matter having been held on June 28, 1960, and it appearing from the record made therein that certain agreements were reached that properly should be formalized in an order;

It is ordered, This 28th day of June, 1960 that:

(1) Exhibits to be offered in evidence in the presentation of the direct affirmative cases shall be exchanged among the parties and copies thereof supplied the Hearing Examiner on September 16, 1960;

(2) Requests for additional information or material shall be made on or before October 1, 1960;

It is further ordered, That the hearing herein heretofore scheduled to commence on July 5, 1960, is continued to October 24, 1960 commencing at 2:00 p.m., in the offices of the Commission at Washington, D.C.

Released: June 29, 1960.

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE,

[SEAL] I

Acting Secretary.

[F.R. Doc. 60-6243; Filed, July 6, 1960; 8:51 a.m.]

[Docket No. 13615; FCC 60M-1116]

AMERICAN TELEPHONE AND TELEGRAPH CO.

Order Scheduling Hearing

In the matter of American Telephone and Telegraph Company, Docket No. 13615, regulations and charges for a connecting arrangement to permit the connection of two two-point duplex teletypewriter services with a customer provided aircraft tracking system.

It is ordered, This 29th day of June 1960, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on September 19, 1960, in Washington, D.C.

Released: June 30, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6244; Filed, July 6, 1960; 8:51 a.m.]

[Docket No. 13602; FCC 60M-1113]

CLACKAMAS BROADCASTERS (KGON)

Order Scheduling Hearing

In re applications of Clackamas Broadcasters (KGON), Oregon City, Oregon, Docket No. 13602, File No. BP-11734; for construction permit.

It is ordered, This 29th day of June 1960, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to

commence on September 22, 1960, in Washington, D.C.

Released: June 30, 1960.

FEDERAL COMMUNICATIONS

Commission, [SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6245; Filed, July 6, 1960; 8:51 a.m.]

[Docket Nos. 12615 etc; FCC 60M-1104]

COOKEVILLE BROADCASTING CO. ET AL.

Order Continuing Hearing

In re applications of Hamilton Parks, tr/as Cookeville Broadcasting Company, Cookeville, Tennessee, Docket No. 12615, File No. BP-11518; et al., Docket Nos. 12960, 12962, 12964, 12965, 12966, 12968, 12971, 12972, 12973, 12974, 12978, 12979, 12981, 12982; for construction permits.

Pursuant to determinations made on the record at the further hearing herein

held on this day:

[SEAL]

It is ordered, This 28th day of June 1960, that the further hearing upon the applications in Group 1 is continued to a date to be fixed by subsequent order.

Released: June 29, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6246; Filed, July 6, 1960; 8:51 a.m.]

[Docket Nos. 13603, 13604; FCC 60M-1114]

ELIZABETH G. COUGHLAN AND NORTH SUBURBAN RADIO, INC.

Order Scheduling Hearing

In re applications of Elizabeth G. Coughlan, Highland Park, Illinois, Docket No. 13603, File No. BPH-2831; North Suburban Radio, Inc., Highland Park, Illinois, Docket No. 13604, File No. BPH-2907; for construction permits (FM).

It is ordered, This 29th day of June 1960, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on September 20, 1960, in Washington D.C.

Released: June 30, 1960.

FEDERAL COMMUNICATIONS
COMMISSION.

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6247; Filed, July 6, 1960; 8:51 a.m.]

[Docket Nos. -13624-13626; FCC 60-760]

FREDERICK COUNTY BROADCASTERS ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Ralph D. Epperson and Earlene S. Epperson, d/b as

6376 NOTICES

Frederick County Broadcasters, Winchester, Virginia, request 1480 kc, 1 kw, Day, Docket No. 13624, File No. BP-12531; Town Radio, Inc., Shippensburg, Pennsylvania, request 1480 kc, 500 w, Day, Docket No. 13625, File No. BP-13240; Jesse J. Goodman, Berryville, Virginia, requests 1480 kc, 1 kw, Day, Docket No. 13626, File No. BP-13860; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 29th day of

June 1960;

The Commission having under consideration the above-captioned and described applications;

It appearing, that, except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially, and otherwise qualified to construct and operate its instant proposal: and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated April 19, 1960, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any one of the applications would serve the public interest, convenience, and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices: and

It further appearing that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications and requiring an evidentiary hearing on the particular issues hereinafter specified; and

It further appearing, that, on March 1, 1960, Frederick County Broadcasters filed a "Petition To Return Application" of Jesse J. Goodman, alleging that the transmitter site originally specified in Goodman's application was not available to Goodman; that, therefore, the application was filed on a "site-to-bedetermined" basis in contravention of § 3.33 of the Commission rules and should not have been accepted for filing; that Goodman, in response to the Commission's aforementioned letter of April 19, 1960, amended his application on May 9, 1960, to specify a different site and stated, in part, that "to eliminate the objections of Frederick County Broadcasters, I hereby amend my application to specify a new site": that. on June 7, 1960, Frederick County Broadcasters filed a "Petition To Review Action Accepting Amendment" Goodman application in which the petitioner contended, in substance, that, since the site originally specified in the Goodman application was not available. Goodman did not have on file a valid application until May 9, 1960, the date on which Goodman amended to specify the present site, and therefore the application is not entitled to consolidation in the hearing proceeding with the Frederick County Broadcasters' application because the Goodman application was not on file in proper form on the date (January 22, 1960) announced by the Commission's Public Notice as the date on which applications must be substantially complete and on file in order to be considered with the application of the Frederick County Broadcasters; that, by letter dated June 11, 1960, Goodman stated that the matters raised in Frederick County Broadcasters' June 7 pleading were the same as those raised in the March 1 pleading and that his response of May 9 "disposed of the matter and no further comments are warranted in this case"; and

It further appearing that in Goodman's responses, he has not indicated whether the transmitter site originally specified was available for his use or whether he had a reasonable expectation that said site would become available; that, therefore, it cannot be determined on the basis of the information before us whether the Goodman application was, in fact, on a site-to-be-determined basis in contravention of the provisions of § 3.33 when it was tendered for filing on January 22, 1960; and that, accordingly, the questions raised by the pleadings of Frederick County Broadcasters and Goodman's responses thereto must be resolved in the hearing ordered below; and

It further appearing that after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below:

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the instant proposals and the availability of other primary service to such areas and populations.

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

3. To determine whether the instant proposal of Town Radio, Inc., would involve objectionable interference with the operation of Station WARK, Hagerstown, Maryland, proposed in the application of the United Broadcasting Company of Western Maryland, Inc. (File No. BP-12395) to increase the daytime power of WARK to one kilowatt, or any other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether Jesse J. Goodman had a reasonable expectation of getting the transmitter site originally specified in his application and, if not, whether the application of Jesse J. Goodman was filed on a site-to-be-determined basis and subject to dismissal pursuant to § 3.33(a) of the Commission rules.

5. To determine, in the event it is concluded that Jesse J. Goodman's application was not in compliance with § 3.33(a) of the Commission rules at the time of filing, whether said application, as amended, was timely filed for consideration with the other applications herein, pursuant to the provisions of § 1.106(b) (1) of the Commission rules.

6. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would better provide a fair, efficient and equitable distribution of radio service.

7. To determine, in the light of the evidence adduced pursuant to the foregoing issues which of the instant applications should be granted.

It is further ordered, That United Broadcasting Company of Western Maryland, Inc., licensee of Station WARK, Hagerstown, Maryland, is made

a party to the proceeding.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue:

To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: July 1, 1960.

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL]

BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 60-6248; Filed, July 6, 1960; .8:52 a.m.]

[Docket Nos. 13525, 13526; FCC 60M-1100]

SIMON GELLER AND ASSOCIATED **ENTERPRISES**

Order Continuing Hearing

In re application of Simon Geller, Gloucester, Massachusetts, Docket No. 13525, File No. BP-11667; Alan C. Tindal, Kristian Solberg, Paul Monson, and John J. Sullivan d/b as Associated Enterprises, Brockton, Massachusetts, Docket No.

13526, File No. BP--11630; for construction permit.

A prehearing conference in the aboveentitled matter having been held on June 27, 1960, and it appearing from the record made therein that certain agreements were reached that properly should be formalized in an order;

It is ordered, This 27th day of June 1960 that:

(1) The direct cases shall be presented by written sworn exhibits;

(2) Preliminary drafts of the technical engineering exhibits shall be exchanged among the parties on July 20, 1960;

(3) The written sworn exhibits constituting the direct cases shall be exchanged among the parties and copies thereof supplied the Hearing Examiner on August 12, 1960 at which time other than for corrective matters the affirmative cases shall be deemed frozen:

(4) Notification shall be given on or before August 31, 1960, as to those witnesses desired to be available for cross-examination;

It is further ordered, That the hearing herein presently scheduled to commence on July 22, 1960, is continued to September 7, 1960 commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C.

Released: June 29, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6249; Filed, July 6, 1960; 8:52 a.m.]

[Docket No. 13601; FCC 60M-1112]

HOPKINSVILLE BROADCASTING CO., INC. (WHOP)

Order Scheduling Hearing

In re application of Hopkinsville Broadcasting Company, Incorporated (WHOP), Hopkinsville, Kentucky, Docket No. 13601, File No. BP-12506; for construction permit.

It is ordered, This 29th day of June 1960, that Jay A. Kyle will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on September 26, 1960, in Washington, D.C.

Released: June 30, 1960.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] BEN F. WAPLE,

Acting Secretary.

[F.R. Doc. 60-6250; Filed, July 6, 1960; 8:52 a.m.]

[Docket Nos. 13627-13629; FCC 60-7631

M. EARLENE STEBBINS ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of M. Earlene Stebbins, Skokie, Illinois, req. 98.3 Mc, #252; 1 kw; 131 ft., Docket No. 13627, File No. BPH-2828; WHFC, Inc. (WEHS), Chi-

cago, Illinois, has 97.9 Mc, #250; 21 kw; 200 ft., req. 97.9 Mc, #250; 110.4 kw; 197 ft., Docket No. 13628, File No. BPH-2870; Gale Broadcasting Company, Inc. (WFMT), Chicago, Illinois, has 98.7 Mc, #254; 29.5 kw; 550 ft., req. 98.7 Mc, #254; 197 kw; 537.2 ft., Docket No. 13629, File No. BPH-2920; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 29th day of June 1960:

The Commission having under consideration the above-captioned and described applications:

It appearing that except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially and otherwise qualified to construct and operate its instant proposal; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in letters dated January 19, 1960, and May 23, 1960, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of any of the applications would serve the public interest, convenience, and necessity; and that copies of the aforementioned letters are available for public inspection at the Commission's offices; and

It further appearing, that the instant applicants filed timely replies to the aforementioned letters, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant and requiring an evidentiary hearing on the particular issues as hereinafter specified; and

It further appearing that the Commission's letter of January 19, 1960 raised a question as to whether the participation of Charles W. Kline, partner in the applicant Radio America (BPH-2858, Chicago, Illinois), in the proposed operation of M. Earlene Stebbins would contravene § 3.240 of the Commission's rules on multiple ownership; that in a reply dated February 5, 1960, M. Earlene Stebbins stated that Mr. Kline's participation as station manager and program director was in keeping with Mr. Kline's capacity as a management consultant for the purpose of assisting and advising in the establishment and organization of the proposed station and that Mr. Kline has no ownership participation nor contemplated any in the proposed Skokie station but only has ownership participation in BPH-2858; but that the Commission is unable to make a determination in this matter on the basis of the data before it and is of the opinion that the question must be resolved in the hearing ordered below: and

It further appearing that M. Earlene Stebbins requested a grant of the three instant applications without hearing, but that the proposed Skokie station would serve only 56 percent of the area within its proposed 1 mv/m contour (as determined by the applicant), and it appears necessary to determine in hear-

ing whether such operations would serve the public interest; and

It further appearing that after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below;

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the area and population within the 1 mv/m contour, the area and population therein which would be served by the proposed Skokie, Illinois, station, and the availability of other FM service (at least 1 mv/m) to such proposed service area.

2. To determine the areas and populations within the 1 mv/m contours which may be expected to gain or lose service from the proposed operations of Stations WEHS and WFMT and the availability of other such FM broadcast service to such areas and populations.

3. To determine whether the instant proposal of BPH-2828 would involve objectionable interference with the existing operations of Stations WEHS and WFMT, Chicago, Illinois, or any existing FM broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other service to such areas and populations.

4. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing FM broadcast stations, the areas and populations affected thereby, and the availability of other FM service to the areas and populations affected by interference from the instant proposals.

5. To determine the nature of the participation of Charles W. Kline in the instant proposal, the extent to which such participation will constitute control of the proposed station, and whether, in the light of Kline's interest in the application of Radio America for a new FM broadcast station in Chicago, Illinois, a grant of the instant application would be in contravention of § 3.240 of the Rules and the Commission's policies promulgated pursuant thereto.

6. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient, and equitable distribution of radio service.

7. To determine, in the light of the evidence adduced, pursuant to the foregoing issues, which, if any, of the instant applications should be granted.

It is further ordered, That WHFC, Inc., and the Gale Broadcasting Company, Inc., are made parties respondent with respect to the existing operations of WEHS and WFMT, respectively.

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It is further ordered, That to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.140 of the Commission's rules in person or by attorney, shall, within 20 days of the mailing of this Order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this Order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of facts in support thereof, by the addition of the following issue:

To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: July 1, 1960.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION, BEN F. WAPLE, Acting Secretary.

[F.R. Doc. 60-6251; Filed, July 6, 1960; 8:52 a.m.]

[Docket No. 13593; FCC 60M-1110]

MARK TWAIN BROADCASTING CO. Order Continuing Hearing Conference

In re application of Mark Twain Broadcasting Co., Hannibal, Missouri, Docket No. 13593, File No. BP-1141; for renewal of license of Station KHMO.

On the oral request of counsel for applicant and without objection by counsel for the Broadcast Bureau: It is ordered, This 29th day of June 1960, that the prehearing conference now scheduled for July 14, 1960, is rescheduled to Friday, July 29, 1960, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: June 30, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN E WADDE

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-6252; Filed, July 6, 1960; 8:52 a.m.]

[Docket No. 13590; FCC 60M-1107]

REX O. STEVENSON

Order for Prehearing Conference

In re application of Rex O. Stevenson, Ojai, California, Docket No. 13590, File No. BP-12418; for construction permit.

A prehearing conference in the aboveentitled proceeding will be held on Friday, July 8, 1960, beginning at 10:00 a.m. in the offices of the Commission, Washington, D.C. This conference is called pursuant to the provisions of § 1.111 of the Commission's rules and the matters to be considered are those specified in that section of the rules. It is so ordered, This the 28th day of June 1960.

Released: June 30, 1960.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-6253; Filed, July 6, 1960; 8:52 a.m.]

[Docket Nos. 13599, 13600; FCC 60M-1111]

A. S. RIVIERE AND RADIO GEORGIA

Order Scheduling Hearing

In re applications of A. S. Riviere, Barnesville, Georgia, Docket No. 13599, File No. BP-12889; John P. Frew, Elizabeth H. Frew, Stephens B. McGarity and Leslie E. Gradick, Jr., d/b as Radio Georgia, Thomaston, Georgia, Docket No. 13600, File No. BP-13051; for construction permits.

It is ordered, This 29th day of June 1960, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on September 20, 1960, in Washington, D.C.

Released: June 30, 1960.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-6254; Filed, July 6, 1960; 8:52 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1307]

BOSTON FUND, INC., AND GROTON CO.

Notice of Filing of Application

JUNE 28, 1960.

Notice is hereby given that Boston Fund, Inc. ("Fund"), a registered openend investment company, and The Groton Company ("Groton"), a personal holding company and an affiliated person of an affiliated person of the Fund, have filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of the Fund's shares at net asset value for substantially all of the assets of Groton, and for an order exempting from the provisions of section 17(a) pursuant to section 17(b) of the Act the sale of such assets to the Fund.

The Fund offers its shares to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of April 30, 1960, the net assets of the Fund amounted to \$220,937,856 and it had 13,410,691 shares of capital stock outstanding.

Groton, a Delaware corporation with less than 100 shareholders, is a personal holding company and is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Frederick Ayer ("Ayer") is president and director of Groton and is a member of the Fund's advisory board. In addition, members of Ayer's family have substantial beneficial interests in Groton, and as co-trustee with others under various trusts he controls or holds with power to vote more than 5 percent of Groton's stock. Pursuant to an agreement between the Fund and Groton, substantially all of the cash and securities owned by Groton having a value of approximately \$7,500,000 as of December 31, 1959, will be transferred to the Fund in exchange for shares of its capital stock. The number of Fund shares to be delivered to Groton will be determined by dividing the net asset value per share of the Fund in effect as of the close of business on the last full business day of the New York Stock Exchange before the closing date into the value of the Groton assets to be exchanged. Prior to the closing date, Groton will sell all securities held by it which the Fund does not wish to acquire. Groton shareholders holding all but $\frac{1}{42}$ of the outstanding shares will indemnify the Fund against any loss from undisclosed liabilities and will agree not to redeem for three years shares of the Fund aggregating \$250,-000.00 in net asset value at the closing date.

The value of the assets of Groton will be determined in the same manner as used for calculating net asset value for the purpose of issuance of Fund shares. Since the exchange will be tax free for Groton and its shareholders, the Fund's cost basis for tax purposes on the assets acquired from Groton will be the same as for Groton rather than the price actually paid for the assets by the Fund. However, the unrealized appreciation on the Groton assets is proportionately less than on the Fund's assets, amounting to approximately 17 percent and 24 percent, respectively, as of April 30, 1960.

Pursuant to the provisions of section 2(a) (3) of the Act, Ayer is an affiliated person of the Fund and of Groton, and the latter is an affiliated person of Ayer. Section 17(a) of the Act, in pertinent part, prohibits an affiliated person of a registered investment company (Ayer) or an affiliated person of an affiliated person of a registered investment company (Groton) from selling to such company any security or other property, unless the Commission by order upon application pursuant to section 17(b) of the Act grants an order exempting such proposed transaction from the provisions of section 17(a) of the Act, upon a finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned; and that the proposed transaction is consistent with the policy of the investment company concerned, as recited in its registration

statement and reports filed under the Act, and is consistent with the general purposes of the Act.

The application states that the securities acquired will be held by the Fund for investment; that all such securities are consistent with the Fund's investment policy as described in its registration statements and that Groton considers the Fund a good investment medium for its stockholders.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement the shares of the Fund are to be issued to Groton and its shareholders at a price other than the public offering price stated in the prospectus.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 12, 1960, at 5:30 p.m., e.s.t., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reasons for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DUBOIS, Secretary.

[F.R. Doc. 60-6219; Filed, July 6, 1960; 8:48 a.m.]

[File No. 812-1303]

BROAD STREET INVESTING CORP. Notice of Filing of Application

June 29, 1960.

Notice is hereby given that Broad Street Investing Corporation ("Broad Street"), a registered open-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting

from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of Morey, Humm & Warwick, Inc. ("Morey") on the basis set forth below.

Shares of Broad Street, a Maryland corporation, are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased.

Morey, a Delaware corporation, is an investment company with six stockholders which has engaged in the business of investing and reinvesting its funds since 1958. Prior to that time, it conducted business as an advertising agency. Morey is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Broad Street and Morey, substantially all of the cash and securities of Morey, with a total value of \$499,001 as of April 30, 1960, will be transferred to Broad Street in exchange for shares of stock of Broad Street. The shares acquired by Morey are to be distributed immediately to its shareholders, who intend to take such shares for investment with no present intention of distribution or redemption. The number of shares of Broad Street to be delivered to Morey will be determined by dividing the net asset value per share of Broad Street in effect at the closing time into the value of the Morey assets to be exchanged.

The value of the assets of Morey will be determined in substantially the same manner as used for calculating net asset value for the purpose of issuance of Broad Street's shares. Since the exchange will be tax free for Morey and its shareholders, Broad Street's cost basis for tax purposes on the assets acquired from Morey will be the same as for Morey, rather than the price actually paid by Broad Street for the assets.

Of the assets to be acquired from Morey, Broad Street presently intends to sell, subject to changes in investment conditions and considerations, securities having a value as of April 30, 1960 of \$131,602 and a cost basis of \$151,555. As of the same date, the securities of Morey to be retained have a value of \$367,399 and a cost basis of \$372,805, and the net unrealized appreciation on securities owned by Broad Street amounted to \$44,063,779, or 23.5 percent of its total net assets.

Applicant points out that the proposed acquisition is in the best interests of its shareholders, taking into account the presence of unrealized depreciation in the portfolio of Morey as compared to the unrealized appreciation existing in the portfolio of Broad Street and because the resulting increase in its assets will tend to reduce per share expenses, since it is furnished investment research and administrative facilities and services at cost.

The application recites that the terms of the entire transaction were arrived at through arm's-length bargaining between Broad Street and Morey. The application further states that there is no

affiliation or relationship of any kind between the officers and directors of Broad Street and the officers, directors, and stockholders of Morey.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of Broad Street are to be issued to Morey at a price other than the public offering price stated in the prospectus, which lists a sales charge of 2.22 percent for sales of \$250,000 or over.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that the Commisson finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 12, 1960 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-6220; Filed, July 6, 1960; 8:48 a.m.]

[File No. 812-1304]

BROAD STREET INVESTING CORP.

Notice of Filing of Application

JUNE 28, 1960.

Notice is hereby given that Broad Street Investing Corporation ("Broad Street"), a registered open-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of M.E.W. Corporation ("M.E.W.") on the basis set forth below.

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Shares of Broad Street, a Maryland Corporation, are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of May 9, 1960, the net assets of Broad Street amounted to \$189,066,073.

M.E.W., a Delaware corporation, is an investment company with two stockholders which engages in the business of investing and reinvesting its funds. M.E.W. is exempt from registration under the Act by reason of the provisions of section 3(c)(1) thereof. Pursuant to an agreement between Broad Street and M.E.W., substantially all of the cash and securities of M.E.W., with a total value of \$1,073,449 as of May 9, 1960, will be transferred to Broad Street in exchange for shares of stock of Broad Street. The shares acquired by M.E.W. are to be distributed immediately to its shareholders, who intend to take such shares for investment with no present intention of distribution or redemption. The number of shares of Broad Street to be delivered to M.E.W. will be determined by dividing the net asset value per share of Broad Street in effect at the closing time into the value of the M.E.W. assets to be exchanged.

The value of the assets of M.E.W. will be determined in substantially the same manner as used for calculating net asset value for the purpose of issuance of Broad Street's shares. Since the exchange will be tax free for M.E.W. and its shareholders, Broad Street's cost basis for tax purposes on the assets acquired from M.E.W. will be the same as for M.E.W., rather than the price actually paid by Broad Street for the assets.

Of the assets to be acquired from M.E.W., Broad Street intends to retain in its portfolio, subject to changes in investment conditions and considerations, securities having a value as of May 9, 1960, of \$500,690. Of this amount \$338,533, or approximately 67.6 percent represented net unrealized appreciation, as compared to net unrealized appreciation on Broad Street's portfolio securities of \$45,618,820 or approximately 24.1 percent of their value, as of the same date. The realized but undistributed long-term capital gain of Broad Street on the same date amounted to \$1,509,304 or approximately 0.8 percent of its assets. Approximately \$497,057 of the securities acquired from M.E.W. will be sold by Broad Street. The net unrealized appreciation on such securities as of May 9, 1960, amounted to \$203,711. Since Broad Street will thus acquire these securities at a tax-cost basis less than the price actually paid therefor, their sale after acquisition will result in artificial capital gains and consequent tax liability thereon to the present shareholders of Broad Street. In respect of the securities of M.E.W. that Broad Street presently intends to sell on acquisition and the resulting artificial capital gain thereon, there shall be subtracted from M.E.W. assets an amount equal to 121/2 percent of the difference between net unrealized taxable capital gain on said securities and the portion of the realized but undistributed taxable long-term capital gain of Broad Street

allocable to the aggregate shares of Broad Street to be issued to M.E.W. In respect of the securities of M.E.W. that Broad Street presently intends to hold following acquisition, there shall be subtracted from M.E.W. assets an amount equal to 121/2 percent of the difference between net unrealized taxable capital gain on said securities and the portion of the Broad Street unrealized appreciation applicable to the aggregate shares of Broad Street to be issued to M.E.W. determined on a pro forma basis. The adjustment is intended to offset adverse impact on Broad Street's investors of a possible capital gains tax on artificial gains should Broad Street hereafter sell the securities being acquired.

If the valuation under the agreement had taken place on May 9, 1960, M.E.W. would have received 86,248 shares of Broad Street's stock.

Applicant points out that the proposed acquisition is in the best interests of its shareholders because the resulting increase in its assets will tend to reduce per share expenses, since it is furnished investment research and administrative facilities and services at cost.

The application recites that the terms of the entire transaction were arrived at through arm's-length bargaining between Broad Street and M.E.W. The application further states that there is no affiliation or relationship of any kind between the officers and directors of Broad Street and the officers, directors, and stockholders of M.E.W.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of Broad Street are to be issued to M.E.W. at a price other than the public offering price stated in the prospectus, which lists a sales charge of 2.22 percent for sales of \$250,000 or over.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 12. 1960 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted. or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-6221; Filed, July 6, 1960; 8:48 a.m.]

[File No. 1-4015]

CONSOLIDATED DEVELOPMENT CORP.

Order Summarily Suspending Trading

JUNE 30, 1960.

The common stock, par value 20 cents per share of Consolidated Development Corporation (formerly known as Consolidated Cuban Petroleum Corporation), being listed and registered on the American Stock Exchange, a national securities exchange; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on such Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15(c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule 15c2-2 thereunder for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of such security, otherwise than on a national securities exchange:

It is ordered, Pursuant to section 19(a) (4) of the Securities Exchange Act of 1934 that trading in said security on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, this order to be effective for a period of ten (10) days, July 1, 1960 to July 10, 1960, both dates inclusive.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-6222; Filed, July 6, 1960; 8:49 a.m.]

[File No. 24NY-4641]

DIRECTOMAT, INC.

Notice and Order for Hearing

June 29, 1960.

I. Directomat, Inc. (issuer), Hotel Roosevelt, Madison Avenue and 45th Street, New York 17, New York, filed with the Commission on March 17, 1958, a notification on Form 1-A and an offering circular relating to a proposed public offering of 240,000 shares of its 1 cent par value common stock at \$1 per share for the purpose of obtaining an exemption from the registration requirements

of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) and Regulation A promulgated thereunder.

II. The Commission, on May 11, 1960, issued an order pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, temporarily suspending the exemption under Regulation A and affording to any person having an interest therein an opportunity to request a hearing pursuant to Rule 261. A written request for hearing having been received by the Commission: and

The Commission deeming it necessary and appropriate to determine whether to vacate the temporary suspension order or to enter an order permanently suspending the exemption:

It is hereby ordered, That a hearing under the applicable provisions under the Securities Act of 1933, as amended, and the rules of the Commission, be heard at the offices of the Commission, 425 Second Street NW., Washington, D.C., on July 12, 1960, at 10:00 a.m., with respect to the following matters and questions, without prejudice, however, to the specification of additional issues which may be presented in these proceedings:

A. Whether the terms and conditions of Regulation A have not been complied with in that:

- 1. The issuer failed to disclose all the promoters and affiliates as required by Items 2 and 3 of the notification and all the promoters and controlling persons as required by paragraph 9 of Schedule I.
- 2. The issuer failed to file a complete and accurate report on Form 2-A as required by Rule 260 in that the report filed on May 27, 1958 states, contrary to fact, that the offering was completed on May 10, 1958 by the broker-dealer firms named therein.
- 3. The aggregate price of the securities offered exceeded the \$300,000 maximum provided under Rule 254 of Regulation A.
- B. The offering circular contained untrue statements of material facts and omitted to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to (a) the failure to name and disclose the background and material interests of all promoters and affiliates of the issuer, (b) the failure to disclose relationships between promoters, affiliates and an underwriter, and between a promoter and a company holding a material contract with the issuer. (c) the failure to disclose the actual price at which the issuer's shares were to be offered to the public, and (d) the failure to disclose the method and manner by which the securities were to be distributed.

C. The offering was made in violation of Sections 5 and 17 of the Act.

It is further ordered, That Robert N. Hislop or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing; that any officer or officers so designated to preside at any such hearing is hereby authorized to exercise all power granted to the Commission under section 19(b), 21 and 22(c) of the Securities Act of 1933. as amended, and to hearing officers under the Commission's Rules of Practice.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on Directomat, Inc.; that notice of the entering of this order shall be given to all persons by general release of the Commission and by publication in the Feb-ERAL REGISTER. Any person who desires to be heard or otherwise wishes to participate in the hearing shall file with the Secretary of the Commission on or before July 8, 1960 a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

(F.R. Doc. 60-6223; Filed, July 6, 1960; 8:49 a.m.]

[File No. 24SF-2542]

GREAT WESTERN OIL CO.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JUNE 29, 1960.

I. Great Western Oil Co. (issuer), a Nevada corporation, Las Vegas, Nevada, filed with the Commission on September 29, 1958, a notification on Form 1-A and an offering circular relating to an offering of 290,000 shares of its \$1 par value common stock at \$1 per share for an aggregate of \$290,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable grounds to believe that:

A. The terms and conditions of Regulation A have not been complied with in that:

1. The issuer has failed to file a report of sales on Form 2-A as required by Rule 260;

2. The issuer has failed to file sales material as required by Rule 258;

3. The issuer has failed to file a revised offering circular as required by Rule 256(e);

4. The issuer has made sales of its securities without the use of an offering circular as required by Rule 256(a)(2).

B. The offering circular contains untrue statements of material facts and omits to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with respect to:

1. The issuer's intended use of proceeds from the offering;

2. The issuer's intended business operations;

3. The failure to disclose the acquisition of new properties, and the abandonment of proposed operations on existing properties.

C. The offering is being made in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission. this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,

Secretary.

[F.R. Doc. 60-6224; Filed, July 6, 1960; 8:49 a.m.]

[File No. 24SF-2568]

HOLIDAY MINES, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JUNE 30, 1960.

I. Holiday Mines, Inc. (issuer), a Washington corporation, filed with the Commission on December 31, 1958 a notification on Form 1-A and an offering circular relating to an offering of 100,000 shares of its \$1 par value common stock at \$1 per share for an aggregate offering of \$100,000 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933. as amended, pursuant to section 3(b) thereof and Regulation A promulgated thereunder.

II. There is reasonable cause to believe that the issuer has failed to cooperate with the Commission in connection with its proposed offering under Regulation A in that the issuer has refused to respond to letters from the Commission's staff with respect to amendment of the filed notification and offering circular.

III. It is ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order: that within twenty days after receipt of

such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-6225; Filed, July 6, 1960; 8:49 a.m.]

[File No. 812-1315]

INCORPORATED INCOME FUND Notice of Filing of Application

JUNE 29, 1960.

Notice is hereby given that Incorporated Income Fund ("Incorporated"), a registered open-end investment company, has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act") for an order of the Commission exempting from the provisions of Section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all of the cash and securities of A. E. Dick Contracting Company ("Dick").

Shares of Incorporated, a Massachusetts corporation, are offered to the public on a continuous basis at net asset value plus varying sales charges dependent on the amount purchased. As of March 31, 1960, the net assets of Incorporated amounted to \$98,939,788 and 10.952.347 of its shares were outstanding.

Dick, a Pennsylvania corporation, is a personal holding company with twentyfive stockholders which engages in the business of investing and reinvesting its funds. Dick is exempt from registration under the Act by reason of the provisions of section 3(c)(1). Pursuant to an agreement between Incorporated and Dick, substantially all of the securities and other assets, such other assets to be converted to government obligations prior to the close, owned by Dick, with a total value of approximately \$2,900,000 as of March 31, 1960, will be transferred to Incorporated in exchange for shares of stock of Incorporated. The application states that the portfolio securities of Dick to be retained by Incorporated meet its investment objectives, and that, subject to its right to dispose of such securities in the event of unforeseen changes, Incorporated intends to retain these securities as investments. The shares of Incorporated acquired by Dick are to be distributed immediately to its shareholders who intend to take such

shares for investment with no present intention of distribution or redemption. The number of shares of Incorporated to be delivered to Dick will be determined by dividing the net asset value per share of Incorporated in effect at the close of business on the day preceding the closing date into the value of the Dick assets to be exchanged.

The value of the assets of Dick will be determined in substantially the same manner as used for calculating net asset value for the purpose of issuance of Incorporated's shares. Since the exchange will be tax free for Dick and its shareholders, Incorporated's cost basis for tax purposes on the assets acquired from Dick will be the same as for Dick, rather than the price actually paid by Incorporated for the assets. The unrealized appreciation on the assets to be acquired from Dick exceeds proportionately the unrealized appreciation on Incorporated's present assets. Thus, Incorporated will acquire securities from Dick at a tax-cost basis less than the price actually paid therefor, and if any of the acquired assets are sold in the future, artificial capital gains may be realized and Incorporated's present shareholders will be subject to tax liability thereon.

To provide against the tax consequences of the sale of certain securities of one company immediately upon acquisition and the possible unfavorable tax consequence of a future sale of the other assets acquired from Dick, Incorporated proposes to adjust the aggregate market value of the acquired assets by deducting from such value an amount to be determined by the parties at the closing date. The adjustment shall consist first of an amount equivalent to 121/2 percent of unrealized taxable long term capital gain on securities of one company to be sold by Incorporated immediately upon acquisition. The balance of the amount to be deducted shall represent an amount equal to 12½ percent of the increase in the amount of unrealized appreciation allocable to the present shareholders of Incorporated, giving effect to the acquisition of Dick on a pro forma basis and making allowance for the amount of Incorporated's realized undistributed gains allocable to Dick.

As of March 31, 1960, the net unrealized appreciation on the portfolio securities of Dick was approximately \$259,327, or approximately 10.6 percent of the value of such securities, as compared with net unrealized appreciation of Incorporated's portfolio securities of \$5.-313,710, or approximately 5.4 percent of the value of such securities; the net unrealized appreciation on the securities Incorporated intends to sell immediately was \$9,725; and the undistributed realized capital gains of Incorporated amounted to approximately \$2,434,402. If the transaction had been consummated on March 31, 1960, there would have been a deduction of approximately \$8,198 from the value of the assets to be acquired by Incorporated.

The application recites that the terms of the entire transaction were arrived at through arm's-length bargaining between officers of Incorporated and Dick.

The application further states that there is no affiliation or relationship of any kind between the officers and directors of Incorporated and the Parker Corporation (Incorporated's investment adviser) and the officers and directors of Dick.

Section 22(d) of the Act provides, in pertinent part, that no registered investment company shall sell any redeemable security issued by it to any person except at a current offering price described in the prospectus, with certain exceptions not applicable here. Under the terms of the Agreement, however, the shares of Incorporated are to be issued to Dick at a price other than the public offering price stated in the prospectus, which lists a sales charge of 2 percent for sales of \$500,000 and over.

Section 6(c) of the Act authorizes the Commission by order upon application to exempt, conditionally or unconditionally, any transaction from any provision of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than July 12, 1960 at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date, as provided by Rule O-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

By the Commission.

[SEAL]

ORVAL L. DuBois, Secretary.

[F.R. Doc. 60-6226; Filed, July 6, 1960; 8:49 a.m.]

[File No. 24A-1244]

MARKET IMPROVEMENT CO.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

I. Market Improvement Company (issuer), a Florida corporation, 6695 Northwest 36th Avenue, Miami, Florida, filed with the Commission on January 2, 1959, a notification on Form 1-A and an offering circular, and subsequently filed amendments thereto, relating to an offering of 222 shares of Class A common voting stock and 1663 shares of Class B

common non-voting stock at \$100 per share aggregating \$188,500 for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3(b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the issuer has failed to file reports on Form 2-A as required by Rule 260 of Regulation A despite requests of the Commission's staff for such filing.

III. It is ordered, Pursuant to Rule 261(a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, tem-

porarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the Commission.

By the Commission.

ORVAL L. DUBOIS. Secretary.

[F.R. Doc. 60-6227; Filed, July 6, 1960; 8:49 a.m.]

[File No. 24NY-4768]

REALTY & THEATRE VENTURES, INC.

Order Temporarily Suspending Exemption, Statement of Reasons Therefor, and Notice of Opportunity for Hearing

JUNE 30, 1960.

I. Realty & Theatre Ventures, Inc. (issuer), a New York corporation, 50 Broad Street, New York, N.Y., filed with the Commission on November 18, 1958 a notification on Form 1-A and an offering circular relating to a proposed offering of 200,000 shares of its 1¢ par value Class A stock at \$1.50 per share or \$300,000 in the aggregate, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to section 3(b) and Regulation A promulgated thereunder.

II. The Commission has reasonable [F.R. Doc. 60-6228; Filed, July 6, 1960; cause to believe that:

A. The offering circular, notification and sales literature contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, particularly with

1. The statements that 180,000 shares of Class B stock had been sold to officers, directors and promoters for \$1,800 cash when substantially less cash was in

fact paid;

2. The untrue statement in the sales literature that the Securities and Exchange Commission had approved the

B. The issuer failed to cooperate in the making of an investigation by the Commission in connection with this offering.

C. The terms and conditions of Regulation A have not been complied with, in that:

1. A report on Form 2-A was not filed within the period required by Rule 260;

- 2. A sale or sales of securities were made by means of a written offer purportedly under Regulation A without an offering circular meeting the requirements of Schedule I of Form 1-A having previously or concurrently been given to the person to whom the offer was made in violation of Rule 256(a)(1);
- 3. A written communication used in connection with the offering contained language stating or implying that the Commission had passed upon the merits or given approval to the securities offered in violation of Rule 259.
- D. The offering was made in violation of section 17 of the Securities Act of 1933, as amended.

III. It is ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing within thirty days after the entry of this order; that within twenty days after receipt of such request the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission, for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice. however, to the consideration and presentation of additional matters at the hearing; that if no hearing is requested and none is ordered by the Commission, this order shall become permanent on the thirtieth day after its entry and shall remain in effect unless or until it is modified or vacated by the Commission; and that notice of the time and place for any hearing will promptly be given by the

By the Commission.

Commission.

[SEAL] ORVAL L. DUBOIS, Secretary.

8:49 a.m.]

INTERSTATE COMMERCE . COMMISSION

[Notice 129]

MOTOR CARRIER ALTERNATE ROUTE **DEVIATION NOTICES**

JULY 1. 1960.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with service at no intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by

number.

MOTOR CARRIERS OF PROPERTY

No. MC 13123 (Deviation No. 7), WIL-SON FREIGHT FORWARDING COM-PANY, 3636 Follett Avenue, Cincinnati 23, Ohio, filed June 20, 1960. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over deviation routes as follows: (A) From Buffalo, N.Y., over Interstate Highway 90 to Cleveland, Ohio; (B) From the New York-Massachusetts State line over Interstate Highway 90 to Interchange 21-A of the New York Thruway; and (C) From New Haven, Conn., over the Connecticut Turnpike to the New York-Connecticut State line; and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Cleveland over Ohio Highway 84 to Ashtabula, Ohio, thence over U.S. Highway 20 to Buffalo; from Albany, N.Y., over U.S. Highway 20 to Boston, Mass.; and from New Haven, Conn., over U.S. Highway 1 to the New York-Connecticut State line, and return over the same routes.

No. MC 109564 (Deviation No. 1) LYONS TRANSPORTATION CO., 1701 Parade Street, Erie 5, Pa., filed June 20, 1960. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From the New York-Pennsylvania State line (near Ripley, N.Y.) over Interstate Highway 90 (Erie Thruway and

North-South Freeway) to Cleveland, Ohio, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between the named deviation points over U.S. Highway 20.

MOTOR CARRIER OF PASSENGERS

No. MC 1501 (Deviation No. 46) THE GREYHOUND CORPORATION, Hamilton Avenue, Cleveland 14, Ohio, filed June 17, 1960. Carrier proposes to operate as a common carrier, by motor vehicle of passengers over a deviation route as follows: From the junction of Interstate Highway 87 and the New York Thruway at Interchange 24 (Albany, N.Y., Washington Avenue Interchange), over Interstate Highway 87 to junction New York Highway 146, thence over New York Highway 146 to junction U.S. Highway 9 in Clifton Park, N.Y., and return over the same route for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Suffern, N.Y., over U.S. Highway 202 to junction New York Highway 59, thence over New York Highway 59 to Ramapo, N.Y., thence over New York Highway 17 to Harriman, N.Y., thence over New York Highway 32 to Newburgh, N.Y., thence over U.S. Highway 9-W via Kingston, N.Y., to Albany, N.Y. (also from Catskill, N.Y., over New York Highway 285 via Athens and Coxsackie, N.Y., to junction U.S. Highway 9W); from Ravena over New York Highway 143 to junction New York Highway 144, thence over New York Highway 144 to junction U.S. Highway 9-W; from New York, N.Y., over U.S. Highway 9 via Albany, Saratoga Springs and Glens Falls, N.Y., to junction New York Highway 9-B (formerly U.S. Highway 9), and thence over New York Highway 9-B to the boundary of the United States and Canada; from Schenectady over New York Highway 50 to Saratoga Springs; from Selkirk over New York Highway 396 to Interchange No. 22 of the New York Thruway; from Albany over U.S. Highway 20 to Interchange No. 24 of the New York Thruway, and return over the same routes.

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-6236; Filed, July 6, 1960; 8:50 a.m.]

[Notice 330]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

July 1, 1960.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act

and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local daylight saving time), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEAR-ING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 1641 (Sub No. 46), filed May 19, 1960. Applicant: RAY PEAKE, doing business as PEAKE TRANSPORT SERV-ICE, Chester, Nebr. Applicant's attorneys: Einar Viren and C. J. Burrill, 904 City National Bank Building, Omaha 2. Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Asphalt, road oils, residuals, fuel oils, and other petoelrum products; requiring trans-portation in insulated tank trucks or requiring heat to load or unload, from Phillipsburg, Kans. to points in that part of Colorado on and east of U.S. Highway 87, and damaged or rejected shipments of the above-described commodities on return.

HEARING: September 23, 1960, at the New Customs House, Denver, Colo., be-

fore Joint Board No. 43.

No. MC 1641 (Sub No. 47), filed June 3, 1960. Applicant: RAY PEAKE, doing business as PEAKE TRANSPORT SERV-ICE, Chester, Nebr. Applicant's attorney: C. J. Burrill, 904 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Petroleum products and related commodities, liquid, in bulk, in tank vehicles, and (2) empty containers, damaged and/or rejected shipments on return, between points within the Kansas City, Mo., Kansas City, Kans., Commercial Zone.

HEARING: September 15, 1960, at the Missouri Hotel, Jefferson City, Mo., be-

fore Joint Board No. 36.

No. MC 8989 (Sub No. 194), filed June 16, 1960. Applicant: HOWARD SOBER, INC., 2400 West St. Joseph Street, Lansing, Mich. Applicant's attorney: Albert F. Beasley, Investment Building, 15th and K Streets NW., Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Automobiles, in secondary movements, in truckaway service, from Buffalo, N.Y., to points in Maine, and damaged or rejected automobiles on return.

HEARING: September 13, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Exam-

iner James H. Gaffney.

No. MC 9895 (Sub No. 108), filed December 21, 1959. Applicant: DENVER CHICAGO TRANSPORT COMPANY, INC., East 45th Avenue at Jackson Street, P.O. Box 838, Denver, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., Suite 526 Denham Building, Denver 2, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cryogenic liquids, liquified gases and compressed gases, in shipper-owned trailers; and empty shipper-owned trailers, between points in Colorado, Wyoming, and Ne-

braska. Applicant is authorized to conduct operations in Wyoming, Colorado, Nebraska, Kansas, Utah, and South Dakota.

HEARING: September 14, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 198, or, if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 9895 (Sub No. 109), filed March 28, 1960. Applicant: DENVER CHICAGO TRANSPORT COMPANY, INC., East 45th Avenue at Jackson Street, Denver, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., Suite 526 Denham Building, Denver 2, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cryogenic liquids and liquefied gases, in shipperowned trailers, from points in Illinois to points in Iowa, Nebraska, Kansas, Oklahoma, Colorado, Wyoming, and South Dakota, and empty shipper-owned trailers on return.

HEARING: September 14, 1960, at the New Customs House, Denver, Colo., before Examiner William E. Messer.

No. MC 9895 (Sub No. 110), filed March 28, 1960. Applicant: DENVER CHICAGO TRANSPORT COMPANY, INC., East 45th Avenue at Jackson Street, Denver, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., Suite 526 Denham Building, Denver 2, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cryogenic liquids and liquefied gases, in shipper-owned trailers, from points in Wyoming to points in South Dakota, and empty shipper-owned trailers on return.

HEARING: September 13, 1960, at the Wyoming Public Service Commission, Cheyenne, Wyo., before Joint Board No.

No. MC 22195 (Sub No. 76) (AMEND-MENT), filed March 24, 1960, published in the Federal Register, issue of May 11. 1960, and republished issue of June 29. 1960. Applicant: DAN S. DUGAN, doing business as DUGAN OIL & TRANSPORT CO., P.O. Box 946, 41st Street and Orange Avenue, Sioux Falls, S. Dak. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, as described in Appendix XIII to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, from points in Ward (including the city of Minot, N. Dak.), McHenry, Renville, and Bottineau Counties, N. Dak., to points in South Dakota, North Dakota, Montana, and Minnesota, and rejected shipments of the commodities specified in this application on return.

HEARING: Remains as assigned July 20, 1960, at the North Dakota Public Service Commission, Bismarck, N. Dak., before Examiner Lyle C. Farmer.

No. MC 30837 (Sub-No. 277) filed May 9, 1960. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, Sundial House, 1821 Jefferson Place NW., Washington, D.C. Authority sought to operate as a common carrier, by motor

vehicle, over irregular routes, transporting: Trucks, in initial movements, by the driveaway and truckaway methods, from the site of the plant of Willard Concrete Machinery Co., within the Commercial Zone of Los Angeles, Calif., to all points in the United States, including Alaska, but excluding Hawaii.

HEARING: September 27, 1960, at the Federal Building, Los Angeles, Calif., before Examiner William E. Messer.

No. MC 30837 (Sub No. 278) filed May 17, 1960. Applicant: KENOSHA AUTO TRANSPORT CORPORATION, 4519 76th Street, Kenosha, Wis. Applicant's attorney: Paul F. Sullivan, Sun Dial House, 1821 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Horse trailers, in initial movements, in truckaway service, from Brentwood, Calif., to points in Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Texas, Utah, Wisconsin, and Wyoming.

Note: Applicant states it presently holds Certificate No. MC 30837 (Sub No. 233) authorizing it to transport the above-specified commodity from Walnut Creek, Calif., to points in some of the destination States named above. Shipper's manufacturing plant has been moved from Walnut Creek to Brentwood, and the purpose of this application is to obtain operating rights authorizing the same service from Brentwood as applicant now offers from Walnut Creek, and to extend that service to include the States of Colorado, Idaho, Kentucky, Montana, Nevada, New Mexico, Oklahoma, Texas, Utah, and Wyoming.

HEARING: September 28, 1960, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 31600 (Sub No. 478), filed June 20, 1960. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, Calvary Street, Waltham, Mass. Applicant's attorney: H. C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Aviation fuels, in bulk, in tank vehicles, from Albany, N.Y., and Providence, R.I., to the port of entry on the International Boundary line between the United States and Canada at Champlain, N.Y. (2) Chemicals, in bulk, in tank vehicles, from Albany, N.Y. to the port of entry on the International Boundary line between the United States and Canada at Champlain, N.Y. (3) Chemicals, in bulk, in tank vehicles, from Bainbridge, N.Y. to the port of entry on the International Boundary line between the United States and Canada at Alexandria Bay, N.Y. (4) Methanol, in bulk, in tank vehicles, from New Haven, Conn., to Waterford, N.Y. (5) Import Canadian whiskey, in bulk, in tank vehicles, from the port of entry on the International Boundary line between the United States and Canada at Niagara Falls, N.Y., to Baltimore, Md., and New York, N.Y. (6) Refused and rejected shipments of the abovedescribed commodities in (1), (2), (3),

(4), and (5) from the above-specified destination points to the above-designated origin points. RESTRICTION: Applied for authority in (1) and (2) above, to be limited to shipments consigned to points in the Province of Quebec, and in (3) above, to be limited to shipments moving through the Province of Ontario consigned to points in the Province of Quebec.

HEARING: September 13, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Michael B. Driscoll.

No. MC 31675 (Sub No. 16), filed April 1960. Applicant: NORTHERN FREIGHT LINES, INC., 201 South Prior Street, Gainesville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a common carrier, by motor vehicle, over a regular route, transporting: General commodities, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Clarkesville, Ga., and Rabun Gap, Ga., over combined U.S. Highways 441 and 23, serving all intermediate points.

HEARING: September 21, 1960, at the Georgia Public Service Commission, Atlanta, Ga., before Joint Board No. 101. No. MC 35628 (Sub-No. 236), filed

June 24, 1960. Applicant: INTER-STATE MOTOR FREIGHT SYSTEM, a corporation, 134 Granville SW., Grand Rapids, Mich. Applicant's attorney: Leonard D. Verdier, Jr., 300 Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except Classes A and B explosives, household goods as defined by the Commission, and commodities in bulk (except scrap metal in bulk), serving the plant site of Carlon Products, 4 miles east of Aurora, Ohio, in Mantua Township, Ohio, on Chamberlain Road, approximately 1/4 mile south of the intersection of Ohio Highway 82 and Chamberlain Road, as an off-route point in connection with operations between East Liverpool and Cleveland, Ohio, over (in part) Ohio Highway 14, as authorized, and between Cleveland and Warren, Ohio, over U.S. Highway 422, as authorized.

HEARING: July 13, 1960, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117.

No. MC 35835 (Sub No. 15), filed February 12, 1960. Applicant: ELMER JENSEN, Independence, Iowa. Applicant's attorney: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Malt Beverages, from Minneapolis, Minn. to Cedar Rapids, Iowa.

HEARING: September 26, 1960, in Room 401, Old Federal Office Building. Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 146.

No. MC 35899 (Sub No. 3), filed March 25, 1960. Applicant: EARL L. KIPP, doing business as KIPP TRANS-FER, P.O. Box 86, Sundance, Wyo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, and except Classes A and B explosives, household goods as defined in Practices of Motor Common Carrier of Household Goods, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Sundance. Wyo., and Sundance Air Force Cantonment area approximately 9 miles north of Sundance, Wyo., over U.S. Highway 14 and unnumbered County Highway serving all intermediate points.

HEARING: September 14, 1960, at the Wyoming Public Service Commission, Cheyenne, Wyo., before Joint Board No.

No. MC 40007 (Sub No. 67), filed May 30, 1960. Applicant: RELIABLE TRANS-PORTATION COMPANY, a Corporation, 4817 Sheila Street, Los Angeles 22, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum, and petroleum products, in bulk, in tank vehicles, from points in Arizona to all ports of entry in Arizona and California on the International boundary between the United States and the Republic of Mexico, for export.

HEARING: September 26, 1960, at the Federal Building, Los Angeles, Calif., before Joint Board No. 167, or, if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 42487 (Sub No. 463), filed May 23, 1960. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: J. G. Dail. Jr. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over a regular route, transporting: General commodities, except liquid petroleum products, in bulk, in tank vehicles, between junction U.S. Highway 40 and California Highway 4. at or near Pinole, Calif., and Antioch, Calif., over California Highway 4, serving all intermediate points, and all offroute points within five (5) miles of California Highway 4.

Note: Common control may be involved.

HEARING: September 29, 1960, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 42487 (Sub No. 464), filed May 24, 1960. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: J. G. Dail, Jr., 175 Linfield Drive, Menlo Park, Calif. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) General commodities, except those of unusual value, household goods as defined by the Commission, and commodities requiring special equipment, serving (a) the site of the Thiokol Chemical Corporation plant, located approximately 20 miles northwest of Corrine, Utah, and (2) the site of Air Force Plant No. 78, located approximately 25 miles north-

west of Corrine, Utah, as off-route points in connection with applicant's authorized regular route operation between Salt Lake City, Utah, and Malad City, Idaho; and (2) General commodities, except those requiring special equipment, livestock, and household goods as defined by the Commission, serving the above-specified sites (a) and (b), as off-route points in connection with applicant's authorized regular route operation between Tremonton, Utah, and Burley, Idaho.

HEARING: September 15, 1960, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 207.

No. MC 44878 (Sub No. 1), filed June o, 1900. Applicant: BRISTOL VAN AND STORAGE CORPORATION, 952 Sulling Street BO 7 Sullins Street, P.O. Box 743, Bristol, Va. Applicant's attorney: Leonard R. Hall, Dominion National Bank Building, Bristol, Va.-Tenn. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Sugar, beet or cane, raw or other than raw in single bags, in cloth bags, in double bags, in multi-wall paper bags, in paper bags, in shipping containers, in inner containers cloth bags, in paper lined cloth bags, in steel drums, barrels and boxes, in cloth bags or pails, between Bristol, Va.-Tenn., and points in Sullivan, Johnson, Carter, Washington, Unicoi, Greene, Hawkins, and Hancock Counties, Tenn., and Washington, Lee, Scott, Grayson, Smith, Wythe, Russell, Tazewell, Buchanan, Dickenson, and Wise Counties, Va.

HEARING: September 14, 1960, at the U.S. Court Rooms, Richmond, Va., before Joint Board No. 279.

No. MC 48958 (Sub No. 38), filed February 29, 1960. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver 16, Colo. Authority sought to operate as a common carrier. by motor vehicle, transporting: General commodities, except those of unusual value, Classes A and B explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving points between Powell, Ariz., and Site Six, Ariz., over unnumbered highway, as intermediate and off-route points in connection with applicant's authorized regular route operations between Los Angeles, Calif., and Albuquerque, N. Mex., over U.S. Highway 66.

HEARING: September 20, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 48958 (Sub No. 49), filed June 6, 1960. Applicant: ILLINOIS-CALIFORNIA EXPRESS, INC., 510 East 51st Avenue, Denver 16, Colo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Compressed gas, in cylinders, when moving on shipper-owned or United States Government-owned trailers, and shipper-owned or United States Government-owned trailers with empty gas cylinders mounted thereon, between Los Alamos, N. Mex., and Albuquerque,

N. Mex., from Los Alamos over New Mexico Highway 4 to junction U.S. Highway 285 at Pojoaque, N. Mex., thence over U.S. Highway 285 to junction U.S. Highway 85 at Santa Fe, N. Mex., thence over U.S. Highway 85 to Albuquerque (also from Santa Fe over U.S. Highway 85 to junction New Mexico Highway 422, approximately 28 miles north of Albuquerque, thence over New Mexico Highway 422 to Albuquerque), and return over the same route, serving Santa Fe, N. Mex., as an intermediate point.

Note: Common control may be involved.

HEARING: September 30, 1960, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87.

No. MC 52709 (Sub No. 98), filed February 10, 1960. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver 5, Colo. Applicant's representative: Eugene St. M. Hamilton (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Classes A and B explosives, (1) between Craig, Colo., and Denver, Colo., over U.S. Highway 40, serving no intermediate points; and (2) between Rifle, Colo., and Denver, Colo., over U.S. Highway 6, serving no intermediate points.

Note: Common control may be involved.

HEARING: September 23, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 126.

No. MC 52709 (Sub No. 105), filed May 9, 1960. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver Colo. Applicant's representative: Eugene St. M. Hamilton, 3201 Ringsby Court, Denver 5, Colo. Authority sought to operate as a common carrier, by motor vehicle, over a regular route, transporting: General commodities, except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Grand Junction, Colo., and Rangely, Colo., from Grand Junction over U.S. Highway 6 to junction unnumbered county road (commonly known as the Douglas Pass Road) at or near Loma, Colo., thence over said unnumbered county road to junction Colorado Highway 64 near Rangely, Colo., thence over Colorado Highway 64 to Rangely, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. RE-STRICTION: No shipment shall be transported over the above-described route which originates at, is destined to, or is interchanged at points in Davis, Salt Lake, or Utah Counties, Utah.

Note: Common control may be involved.

HEARING: September 21, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 126.

No. MC 52858 (Sub No. 85), filed February 12, 1960. Applicant: CONVOY COMPANY (corporation), 3900 Northwest Yeon Avenue, Portland 10, Oreg. Applicant's attorney: Marvin Handler, 625 Market Street, San Francisco 5, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Automobiles, trucks and busses, as defined by the Commission in Ex-Parte MC-45, in secondary movements, in driveaway and truckaway service, between points in Colorado, Arizona, New Mexico, Utah, Nebraska, and Wyoming.

HEARING: September 15, 1960, at the New Customs House, Denver, Colo., before Examiner William E. Messer.

No. MC 60012 (Sub No. 49), filed June 10, 1960. Applicant: RIO GRANDE MOTOR WAY, INC., 775 Wazee Street, Denver, Colo. Applicant's attorney: Ernest Porter, 1531 Stout Street, P.O. Box 5482, Denver 17, Colo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) Ores and concentrates, in bulk, in special equipment, between Red Mountain Pass, Colo., and Silverton, Colo., and mines and mills within a ten mile radius of Silverton, Colo., as follows: From Red Mountain Pass over U.S. Highway 550 to Silverton, from Silverton over Colorado Highway 110 and other unnumbered highways to mines and mills accessible by these highways, and return over the same route, serving all intermediate points. General commodities, including Classes A and B explosives, but excluding commodities of unusual value, household goods as defined by the Commission, and commodities which, because of size or weight require special equipment, between Silverton, Colo. and mines and mills within a radius of ten miles of Silverton, as follows: From Silverton over Colorado Highway 110 and other unnumbered highways to mines and mills located within a radius of 10 miles of Silverton, and return over the same route, serving all intermediate points.

Note: Applicant states it is a wholly-owned subsidiary of the Denver and Rio Grande Western Railroad Company, and also owns Larson Transportation Company of Denver, Colo., No. MC 68370, and has stock ownership in Carbon Motorway, Inc., Salt Lake City, Utah, No. MC 113639, and is seeking in Finance Docket No. MC-F 7328, authority to acquire one hundred percent ownership and control of Carbon Motorway, Inc. Common control may be involved.

HEARING: September 22, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 126.

No. MC 62538 (Sub No. 7), filed May 2, 1960. Applicant: JAMES E. ASHTON, doing business as MONTE VISTA TRANSPORT, North Broadway, Monte Vista, Colo. Applicant's attorney: Richard E. Conour, Del Norte, Colo. Authority sought to operate as a contract cartier, by motor vehicle, over irregular routes, transporting: Muriate of potash, sulphate of potash, and potato starch, (1) between Alamosa, and Monte Vista, Colo., on the one hand, and, on the other, points within 25 miles of Carlsbad, N. Mex., including Carlsbad; and (2) between Manzanola, Trinidad, and Walsenburg, Colo., and points within 25 miles of Carlsbad, N. Mex., including Carlsbad, including Carlsbad.

HEARING: September 21, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 125.

No. MC 76032 (Sub No. 145), filed November 16, 1959. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo. Applicant's attorney: Herbert M. Boyle, 738 Majestic Building, Denver 2, Colo. Authority sought to operate as a common carrier, by motor vehicle, transporting: General commodities, except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment (not including those requiring refrigeration) and those injurious or contaminating to other lading, serving Kaiser Gypsum Company plant site located approximately three (3) miles east of U.S. Highway 85 and approximately 40 miles north of Albuquerque, N. Mex., as an off-route point in connection with applicant's authorized regular route operations between Denver, Colo., and Albuquerque, N. Mex. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, Okla-homa, and Texas.

Note: Common control may be involved.

HEARING: September 30, 1960, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Board No. 87.

No. MC 76032 (Sub No. 148), filed February 16, 1960. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo. Applicant's attorney: O. Russell Jones, Bokum Building, Santa Fe, N. Mex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, including Class A, B, and C explosives, ammunition not included in Class A, B and C explosives, and component parts of explosives and ammunition, and except those of unusual value, household goods as defined by the Commission, comodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Site Six, located approximately three (3) miles east and 22 miles south of Powell, Ariz., as an off-route point in connection with applicant's authorized regular route operations between Los Angeles, Calif., and Albuquerque, N. Mex.

HEARING: September 22, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 78400 (Sub No. 14), filed February 11, 1960. Applicant: JOHN MEYER, LEO FLOTTMANN, ROY FLOTTMANN, AND OLIN FLOTTMANN, doing business as BEAUFORT TRANSFER COMPANY, Gerald, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Charcoal, in bags, charcoal products, lighter fluid, and wood chips, from the site of the Kingsford Company plant, located approximately six (6) miles southwest of Eelle, Mo., to points in Kansas, and

empty containers or other such incidental facilities (not specified) used in transporting the above-specified commodities on return.

Note: Any duplication with present authority to be eliminated.

HEARING: September 20, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 36.

No. MC 79737 (Sub No. 11), filed December 22, 1959. Applicant: SOUTH-WESTERN TRANSPORTATION CO., INC., 816 Water Street, Canon City, Colo. Applicant's attorney: John P. Thompson, 320 Denver Club Building, Denver 2, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Soda ash, in bulk, from the site of the Westvaco plant near Green River, Wyo., to Canon City, Colo., and points within five (5) miles of Canon City, and rejected shipments of the above-specified commodity on return. Applicant is authorized to conduct operations in Colorado, Kansas, New Mexico, Oklahoma, and Texas.

Note: Common control may be involved.

HEARING: September 19, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 50.

No. MC 89723 (Sub No. 21), filed April 14, 1960. Applicant: MISSOURI PA-CIFIC FREIGHT TRANSPORT COM-PANY, a Corporation, 1218 Olive Street, St. Louis 3, Mo. Applicant's attorney: Toll R. Ware, Missouri Pacific Building, St. Louis 3, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, moving in shipper-owned trailers, or in trailers furnished by and at the expense of shipper, which receive a prior or subsequent trailer-on-flat-car (piggy-back) rail haul by the Missouri Pacific Railroad, on railroad billing, and at railroad rates, including the return of empty trailers, between the Missouri Pacific Railroad yards, Dupo, Ill., on the one hand, and, on the other, points within the St. Louis, Mo.-East St. Louis, Ill., Railroad Terminal area.

HEARING: September 19, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

No. MC 92273 (Sub No. 2) (AMEND-MENT), filed October 19, 1959, published in the FEDERAL REGISTER, issue of April 20, 1960. Applicant: JOE SAIA, 2630 Fifth Street, Sacramento, Calif. Applicant's attorney: James W. Winchell, Crocker-Angelo Bank Building, Sacramento 14, Calif. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Sacramento, Calif., and the junction of Nevada Highway 28 with U.S. Highway 50 near Glenbrook, Nev.: (1) from Sacramento over U.S. Highway 40 through Auburn, Calif., to Truckee, Calif., serving all intermediate points between the areas commonly known as Bowman, Calif., and Truckee, Calif., and all points within 5 air miles of either

side of U.S. Highway 40 between Bowman and Truckee and from the junction of U.S. Highway 40 with California Highway 89 near Truckee, Calif., over California Highway 89 along the western side of Lake Tahoe to the junction of California Highway 89 with U.S. Highway 50 near Al Tahoe, Calif., serving all intermediate points, and all points within 5 air miles of either side of California Highway 89, between the junction of U.S. Highway 40 with California Highway 89 near Truckee, Calif., and the junction of California Highway 89 with U.S. Highway 50 near Al Tahoe, Calif.; also from the junction of California Highway 89 with California Highway 28 near Tahoe City, Calif., over California Highway 28 and Nevada Highway 28 to the junction of Nevada Highway 28 with U.S. Highway 50 near Glenbrook, Nev., and thence along U.S. Highway 50 along the eastern shore of Lake Tahoe to the junction of U.S. Highway 50 with California Highway 89 near Al Tahoe, Calif., serving all intermediate points and all points within 5 air miles of either side of California Highway 28, Nevada Highway 28, and U.S. Highway 50, between the junction of California Highway 89 with California Highway 28 near Tahoe City, Calif., and the junction of U.S. Highway 50 with California Highway 89 near Al Tahoe, Calif., and return over the same routes or over U.S. Highway 50 to Sacramento, Calif.; (2) from Sacramento over U.S. Highway 50 through Placerville and the area commonly known as Stateline to the junction of U.S. Highway 50 with Nevada Highway 28 near Glenbrook, Nev., serving all intermediate points, and all points within 5 air miles of either side of U.S. Highway 50, between the area commonly known as Fresh Pond, Calif., and the junction of U.S. Highway 50 with Nevada Highway 28 near Glenbrook, Nev.; thence from the junction of U.S. Highway 50 with Nevada Highway 28 near Glenbrook, Nev., over Nevada Highway 28 and California Highway 28 to the junction of California Highway 28 with California Highway 89 near Tahoe City, Calif., and thence from the junction of California Highway 89 with California Highway 28 near Tahoe City, Calif., over California Highway 89 to the junction of California Highway 89 with U.S. Highway 40 near Truckee, Calif., serving all intermediate points, and all points within 5 air miles of either side of Nevada Highway 28, California Highway 28 and California Highway 89, between the junction of U.S. Highway 50 with Nevada Highway 28 near Glenbrook, Nev., and the junction of California Highway 89 with U.S. Highway 40 near Truckee, Calif.; also from the junction of U.S. Highway 50 with California Highway 89 near Al Tahoe, Calif., over California Highway 89 along the western side of Lake Tahoe to the junction of California Highway 89 with U.S. Highway 40 near Truckee, Calif., serving all intermediate points, and all points within 5 air miles of either side of California Highway 89, between the junction of U.S. Highway 50 with California Highway 89 near Al Tahoe, Calif., and the junction of California Highway 89 with U.S. Highway 40, near Truckee, Calif.; and return over the same routes or over U.S. Highway 40 to Sacramento, Calif.

HEARING: October 4, 1960, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 78, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 93980 (Sub No. 32) filed May 10, 1960. Applicant: VANCE TRUCK-ING COMPANY, INCORPORATED, Dabney Drive, Henderson, N.C. Applicant's attorney: Edward G. Villalon, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Asphalt and Asbestos roofing, wallboard and insulating material, from Port Westworth, Ga., to points in North Carolina and South Carolina, and empty containers or other such incidental facilities (not specified), used in transporting the commodities specified in this application on return.

HEARING: September 16, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 130.

No. MC 95627 (Sub No. 27), filed June 22, 1960. Applicant: NELMS MOTOR LINES, INC., P. O. Box 912, Suffolk, Va. Applicant's attorney: Harry F. Gillis, 919 18th Street NW., Suite 226, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paper and paper products, between Norfolk, Va., and points in New York (except the New York, N.Y., Commercial Zone), Ohio, Pennsylvania (except the Philadelphia, Pa., Commercial Zone), and West Virginia, and (2) paper and paper products and empty containers, from Kalamazoo, Mich., to Laurinburg, N.C., and Smithfield, Va.

HEARING: September 13, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Ex-

aminer Jerry F. Laughlin.

No. MC 96891 (Sub No. 4), filed April 1960. Applicant: ALLSTATE TRUCKING, INC., 1404 Camino Monte, Farmington, N. Mex. Applicant's attorney: O. Russell Jones, Bokum Building, 142 West Palace Avenue, Santa Fe. N. Mex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Sand, gravel, crushed rock, manure, dry clay, coal, coke, fertilizer, fill dirt, pumice and cinder aggregates, shale, ore, dry cement, bulk cement, graphite, ground lime, mortar, lumber, pumice, dry plant mix, rock, wood, hot mix asphalt, in bulk, between points in New Mexico, except points in Grant, Hidalgo, Luna, Sierra, and Catron Counties, N. Mex., and (2) Silica sand, in bulk, from the site of the Arizona Silica Products Company plant located approximately 1½ miles south of Houck, Ariz., to points in Mc-Kinley, San Juan, and Rio Arriba Counties, N. Mex.

Note: Applicant states that it is authorized to conduct the operations specified in (1) above under the Second Proviso of section 206(a) (1) of the Act.

HEARING: September 27, 1960, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint Atlantic National Bank Building, Jack-Board No. 129.

No. MC 98707 (Sub No. 9), filed June 14, 1960. Applicant: MILES MOTOR TRANSPORT SYSTEM, a Corporation, P.O. Box 510, Stockton, Calif. Applicant's attorneys: Berol and Geernaert, 100 Bush Street, San Francisco 4, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Cement, in bulk and in sacks, from Redwood City and West Sacramento, Calif., to points in Josephine, Curry, Jackson, Klamath, Lake, Harney, Douglas, Coos, Lane, and Deschutes Counties, Oreg.; (B) Cement, in sacks, from West Sacramento, Calif., to points in Nevada on and north of U.S. Highway 6; and (C) Contaminated and rejected shipments, from the above-specified destination points to their respective origin points.

Note: Common control may be involved.

HEARING: September 30, 1960, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 151, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 103378 (Sub-No. 177), filed April 27, 1960. Applicant: PETRO-LEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2. Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Nitric Acid, in bulk, in tank vehicles, from Plant site of Hercules Powder Company near McAldory, Ala., to points in South Carolina.

HEARING: September 26, 1960, at the Georgia Public Service Commission, Atlanta, Ga., before Joint Board No. 339. No. MC 103378 (Sub-No. 182), filed

June 6, 1960. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid glue, in bulk, in tank vehicles, from Atlanta, Ga., to points in Alabama.

HEARING: September 27, 1960, at the Georgia Public Service Commission, Atlanta, Ga., before Joint Board No. 157...

No. 103378 (Sub-No. 183), filed June 6, 1960. Applicant: PETROLEUM CAR-RIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquid glue, in bulk, in tank vehicles, from Atlanta, Ga., to points in North Carolina and South Carolina.

HEARING: September 27, 1960, at the Georgia Public Service Commission, Atlanta, Ga., before Joint Board No. 130.

No. MC 103378 (Sub No. 184), filed June 13, 1960. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500

sonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fly ash, in bulk and in bags, from Macon, Ga., to points in Alabama.

Note: Applicant has a pending contract carrier application under MC 119836. Dual operations under section 210 may be involved.

HEARING: September 20, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 157.

No. MC 103993 (Sub No. 137), filed May 20, 1960. Applicant: MORGAN DRIVE-AWAY, INC., 500 Equity Building, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in California to all points in the United States, including Alaska but excluding Hawaii.

HEARING: September 27, 1960, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Ex-

aminer F. Roy Linn.

No. MC 104128 (Sub No. 84), filed June 14, 1960. Applicant: CAMPBELL'S SERVICE, a Corporation, 2720 River Avenue, South San Gabriel, Calif. Applicant's attorney: R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Campers and camp coaches, designed for installation on pick up trucks, in truckaway service, from Boise, Idaho, and points within ten (10) miles of Boise, to points in California, Colorado, Idaho, Montana, Nebraska, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming.

HEARING: September 13, 1960, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 104430 (Sub No. 25), filed April 21, 1960. Applicant: CAPITAL TRANSPORT COMPANY, INC., P.O. Box 789, McComb, Miss. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Gasoline, in bulk, in tank vehicles, from Panama City, Fla., to Birmingham, Ala.

HEARING: September 28, 1960, at the U.S. Court Rooms, Montgomery, Ala.,

before Joint Board No. 98.

No. MC 104960 (Sub No. 25), March 28, 1960. Applicant: MOTOR FUEL CARRIERS, INC., 404 Elm Avenue (P.O. Box 2288), Panama City, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Petroleum and petroleum products, in bulk, in tank vehicles, from Panama City and Freeport, Fla., to points in that part of Alabama north and west of a line extending from the Mississippi-Alabama State line, near York, Ala., along U.S. Highway 80 to Montgomery, Ala., thence along Alabama Highway 11 to Sylacauga, Ala., thence along Alabama Highway 11 (formerly U.S. Highway 241) to Anniston, Ala., thence along U.S. Highway 431 (formerly U.S. Highway 241) to Gadsden, Ala., and thence along U.S. Highway 411 to the Alabama-Georgia State line, including points on the indicated portions of the highways specified, but excepting shipments moving on government bills of lading from Panama City, Fla., to Birmingham, Ala., and rejected shipments of the above-specified commodities on return.

Note: Any duplication with present authority to be eliminated.

HEARING: September 28, 1960, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 98.

No. MC 107107 (Sub-No. 151), filed May 18, 1960. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1)Candy and confectionery, and (2) Cream filled or chocolate covered crackers and cookies, and (3) related advertising and promotional material and premiums when shipped with commodities listed in (1) and (2) above, from Atlanta, Ga., to points in Florida.

HEARING: September 22, 1960, at the Georgia Public Service Commission, Atlanta, Ga., before Joint Board No. 64.

No. MC 107369 (Sub No. 13), filed April 25, 1960. Applicant: VERNON LLOYD MILLER, doing business as VERNON L. MILLER TRUCKING, 2607 East Seventh Street, Cheyenne, Wyo. Applicant's attorney: Robert S. Stauffer, 1510 East 20th Street, Cheyenne, Wyo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes. transporting: Pozzolan, in bulk, and in bags or containers, from Laramie, Wyo., and points within five miles thereof, to points in Colorado, Nebraska, and Utah. and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified. on return.

HEARING: September 13, 1960, at the New Customs House, Denver, Colo., before Examiner William E. Messer.

No. MC 107496 (Sub No. 160), filed April 26, 1960. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, P.O. Box 855, Des Moines, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Paint and paint materials, varnish and varnish materials, in bulk, in tank vehicles, from Burlington, Iowa, to points in Illinois and Missouri.

HEARING: September 29, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 46.

No. MC 107500 (Sub No. 48), filed April 25, 1960. Applicant: BURLINGTON TRUCK LINES, INC., 796 South Pearl Street, Galesburg, Ill. Applicant's attorney: James M. Adams, Burlington Truck Lines, Inc. (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle,

transporting: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving Moulton, Iowa, as an off-route point in connection with applicant's authorized regular route operations between Oskaloosa and Chariton, Iowa, over Iowa Highway 2.

HEARING: September 30, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 92.

No. MC 109326 (Sub No. 74) filed May 5, 1960. Applicant: C & D TRANS-PORTATION CO., INC., 414 Bay Bridge Road, Prichard, Ala. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Chilled and frozen packing house products, chilled and frozen dairy products, fresh and frozen seafood, fresh and frozen fruits and vegetables, chilled and frozen bakery goods, and chilled and frozen food and foodstuffs, in mechanically refrigerated vehicles, between Birmingham, Montgomery, and Prattville, Ala., on the one hand, and, on the other, Eglin Air Force Base, Fort Walton, Panama City, and Pensacola, Fla., Biloxi, Columbus, Gulfport, Hattiesburg, Jackson, Laurel, Meridian, Pascagoula, and Vicksburg, Miss., and Mobile, Ala.; and iced or frozen poultry, between Prattville, Ala., on the one hand, and, on the other, the above specified points in Florida, Mississippi, and Alabama.

HEARING: September 29, 1960, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 393.

No. MC 109584 (Sub No. 78), filed April 21, 1960. Applicant: ARIZONA PACIFIC TANK LINES, a Corporation, 717 North 21st Avenue, Phoenix, Ariz. Applicant's attorney: Arthur H. Glanz, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acids, chemicals and fertilizers, in liquid or in dry form, in bulk, in tank or hopper vehicles, from railheads or sidings in Arizona to points in Arizona, and returned, rejected and contaminated shipments of the above-specified commodities

Note: Applicant states the out bound movement is to all points in Arizona which are not served by rail spur. The proposed service is intended to supplement rail service.

on return.

HEARING: September 19, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 109584 (Sub No. 79), filed June 15, 1960. Applicant: ARIZONA PACIFIC TANK LINES, a Corporation, 717 North 21st Avenue, Phoenix, Ariz. Applicant's attorney: Arthur H. Glanz, 639 South Spring Street, Los Angeles 14, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Vinegar, in bulk, in tank vehicles, from the plant site of California Food Products Co. near Sebastopol, Calif., to Dallas and Garland,

Tex.; (2) sodium chlorate, dry, in bulk, in tank vehicles, from Henderson, Nev., to points in Kern and Fresno Counties, Calif., and points in Arizona, and returned, rejected or contaminated shipments, on return, in connection with (1) and (2) above.

HEARING: September 16, 1960, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

No. MC 109637 (Sub No. 155), filed June 17, 1960. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acids and chemicals, dry and liquid, in tank and specialized equipment, from Calvert City, Ky., and points within a 10 mile radius thereof, to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

Note: Applicant will surrender all existing authorities which might be duplicated by the granting of this application.

HEARING: September 12, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 109689 (Sub No. 109), filed March 28, 1960. Applicant: W. S. HATCH CO., a Corporation, 643 South 800 West Woods Cross, Utah. Applicant's attorney: Mark K. Boyle, 345 South State Street, Salt Lake City 1, Utah. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Nitric acid and ammonium nitrate, in bulk, from Louviers, Colo., to points in Fremont and Natrona Counties, Wyo., and rejected or contaminated shipments of the above-described commodities on return.

HEARING: September 19, 1960, at the New Customs House, Denver, Colo., before Joint Board No. 50.

No. MC 110157 (Sub No. 13), filed January 21, 1960. Applicant: C. M. LANG AND C. R. GIVENS, doing business as LANG TRANSIT COMPANY, 28th and Quirt, P.O. Box 1625, Lubbock, Tex. Applicant's attorney: H. J. Blanchard, Suite 1105 Great Plains Life Building, Lubbock, Tex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value. Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Clovis, N. Mex., and the site of Cannon Air Force Base, approximately six (6) miles west of Clovis, N. Mex., over combined U.S. Highways 60 and 84; serving no intermediate points. (2) Between Portales, N. Mex., and the site of Cannon Air Force Base, approximately six (6) miles west of Clovis, N. Mex., from Portales over U.S. Highway 70 to junction New Mexico Highway 467, thence over New Mexico Highway 467 to junction combined U.S.

Highways 60 and 84, thence over combined U.S. Highways 60 and 84 to the site of Cannon Air Force Base, and return over the same route, serving no intermediate points.

HEARING: September 26, 1960, at the New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint

Board No. 87. No. MC 110698 (Sub No. 140), filed Applicant: RYDER June 17, 1960. TANK LINES, INC., P.O. Box 457, Greensboro, N.C. Applicant's attorney: Frank B. Hand, Jr., 522 Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Adhesives, in bulk, in tank vehicles, from points in Northampton County, N.C., to Henderson and Louisville, Ky., and Jasper, Ind.

HEARING: September 9, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William J. Cave.

No. MC 112196 (Sub No. 17), filed March 28, 1960. Applicant: GEORGE R. MALLORY, doing business as MAL-LORY TRUCKING, U.S. Highway 99th and Hunts Lane, P.O. Box 412, Colton, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Bulk and sack cement, from Victorville and Oro Grande, Calif., to Site Six, Ariz., and empty container or other such incidental facilities, used in transporting the abovedescribed commodities, on return,

Note: Applicant states the proposed operations from Victorville and Oro Grande, will be over U.S. Highway 66 to 9 miles east of Topcok, Ariz., and thence south on County Road for 23 miles to Site Six.

HEARING: September 21, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner F. Roy

No. MC 112617 (Sub No. 69), filed June 17, 1960. Applicant: LIQUID TRANS-PORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville 5, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Acids and Chemicals, Dry and Liquid, in bulk, in tank and specialized equipment, from Calvert City, Ky., and points within ten miles thereof, to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin.

Note: Applicant will surrender all existing authorities which might be duplicated by the granting of this application.

HEARING: September 12, 1960, at the Offices of the Interstate Commerce Commission. Washington, D.C., before Examiner Gerald F. Colfer.

No. MC 113564 (Sub No. 2), filed April 1, 1960. Applicant: P. J. HOLZ-MEISTER, 36 Main Street, Montrose, Colo. Applicant's attorney: Jerry W.

Junction. Colo. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: (1) Bulk salt, (a) from railhead Thompson, Utah over Utah Highway 94 to Crescent Junction, Utah, thence over U.S. Highway 160 to Monticello, Utah, thence over Utah Highway 47 to the Utah-Arizona State line, thence over Arizona Highway 47 (or unnumbered highway) to Monument Valley, Ariz., serving all intermediate points. (b) From railhead Montrose, Colo., over U.S. Highway 550 to Ridgway, Colo., thence over Colorado Highway 62 to junction Colorado Highway 145, thence over Colorado Highway 145, through Naturita and Paradox, Colo., to the Colorado-Utah State line, thence over Utah Highway 46 to La Sal Junction, Utah, thence over U.S. Highway 160 to Monticello, Utah, thence over Utah Highway 47 to the Utah-Arizona State line, thence over Arizona Highway 47 (or unnumbered highway) to Monument Valley, Ariz, serving all intermediate points. Crude ore, from Monument Valley, Ariz., over Arizona Highway 47 (or unnumbered highway) to the Arizona-Utah State line, thence over Utah Highway 47 to Monticello, Utah, thence over U.S. Highway 160 to Durango, Colo., serving all intermediate points.

HEARING: September 20, 1960, at the New Customs House, Denver, Colo., be-

fore Joint Board No. 407.

No. MC 113779 (Sub No. 121), (AMENDMENT) filed April 11, 1960, published in the FEDERAL REGISTER, issue of May 18, 1960. Applicant: YORK INTERSTATE TRUCKING, INC., 9020 LaPorte Expressway, P.O. Box 12385, Houston 17, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Dry commodities, in bulk, except flour, sugar and cement, between points in Texas, New Mexico, Oklahoma, Arkansas, Louisiana, Mississippi, Alabama, Georgia, and Florida.

CONTINUED HEARING: July 27, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before

Examiner Frank R. Saltzman.

No. MC 113855 (Sub No. 44), filed June 8, 1960. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Franklin J. Van Osdel, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes. transporting: Agricultural machinery and implements, lift trucks, elevating platform cranes, and attachments and parts for agricultural machinery and implements, lift trucks and elevating platform cranes, from Rio Vista, Calif., and points within two (2) miles thereof, to all points in the United States except California, Oregon, Washington, Alaska, and Hawaii.

HEARING: September 29, 1960, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 114019 (Sub No. 29), filed July 1959. Applicant: THE EMERY TRANSPORTATION COMPANY, a Cor-

Uhrlaub, 211 Uranium Center, Grand 'poration, 7000 South Pulaski Road, Chicago 29, Ill. Applicant's attorney: Charles W. Singer, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, (1) between points in Arkansas, Connecticut, Delaware, the District of Columbia, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, Minnesota. New Jersey, North Dakota, Rhode Island, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin, and (2) between points in Illinois, Indiana, Ohio, Pennsylvania, and New York, on the one hand, and, on the other, points in the States enumerated in (1)

> Note: Applicant is authorized to conduct operations as a contract carrier in Permit No. MC 9685 and sub numbers thereunder; it has pending applications for Certificates in No. MC 114019 and sub numbers thereunder. A proceeding has been instituted under section 212(c) in No. MC 9685 Sub No. 58, to determine whether applicant's status is that of a common or contract carrier.

PRE-HEARING CONFERENCE: July 27, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James C. James C. Cheseldine. At the pre-hearing con-ference it is contemplated that the following matters will be discussed: (1) The issues generally with a view to their simplification; (2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of this application, including the submission of the supporting and opposing shipper testimony by verified statements; (3) The time and place or places of such hearing or hearings as may be agreed upon; (4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants; (5) The practicability of both applicant and the opposing carriers submitting in written form their direct testimony with respect to: (a) Their present operating authority. (b) Their corporate organizations if any, ownership and control, (c) Their fiscal data, (d) Their equipment, terminals, and other facilities; (6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and (7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

No. MC 114098 (Sub No. 10), filed May 2, 1960. Applicant: LOWTHER TRUCKING COMPANY, a Corporation, 521 Penman Street, P.O. Box 2115, Charlotte, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fiberglass boat hulls, from Statesville, N.C., to Knoxville, Tenn.

HEARING: September 20, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 8.

No. MC 114965 (Sub No. 14), filed June 13, 1960. Applicant: L. R. CYRUS, doing business as CYRUS PETROLEUM TRUCK LINE, P.O. Box 327, Iola, Kans. Applicant's attorney: Charles H. Apt, Allen County State Bank Building, Iola, Kans. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gases, in bulk, in specialized equipment, from the site of the Pipeline Terminal to be located on the Mid-American Pipeline at or near Moberly, Mo., to points in Illinois and Iowa.

Note: Applicant has pending application in MC 66344 and Subs thereunder for contract carrier authority; therefore, dual operations under section 210 may be involved.

HEARING: September 16, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 46.

No. MC 115900 (Sub No. 1), filed May 9, 1960. Applicant: T. J. ATKINSON, JR., McCredie, Mo. Applicant's attorney: Thomas P. Rose, Jefferson Building, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Feed and fertilizer, from East St. Louis, Ill., to points in Boone and Cole Counties, Mo., and livestock and such other commodities as may be exempt under section 203(b) (c) of Part

HEARING: September 21, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

II of the Interstate Commerce Act, on

return.

No. MC 116950 (Sub No. 1), filed February 8, 1960. Applicant: JOSEPH L. DRAKE, 499 North Delaware, Chandler, Ariz. Applicant's attorney: Nathan Holt, Ninth Floor, Title & Trust Building, Phoenix, Ariz, Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Dry fertilizer, in bags, and in bulk, liquid fertilizer, in bulk, in tank vehicles, and insecticide materials, in bags, and in bulk, in tank vehicles, from points in Arizona to points in New Mexico, El Paso County, Tex., Utah, California, and Nevada. Rejected shipments of the above-named commodities, from points in Arizona, New Mexico, Texas, Utah, California, and Nevada to Chandler, Ariz. Gypsum rock, in bags, from Plaster City, Calif., to points in Arizona. Sulphur, in bulk, from points in Texas. Utah, and California to Chandler, Ariz.

HEARING: September 21, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 117031 (Sub No. 3), filed May 26, 1960. Applicant: BROWN YANCEY, New Bloomfield, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, in bags, and in bulk, from points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, as defined by the Commission, to points in Audrain, Boone, and Montgomery Counties, Mo.

Note: Applicant states it proposes to transport exempt commodities on return.

HEARING: September 21, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

No. MC 117327 (Sub No. 4), filed May 17, 1960. Applicant: AIR CARGO TER-MINALS, INC., 110 Richards Road, Kansas City 5, Mo. Applicant's attorney: Ivan V. Kerno, Meyers & Batzell, 1201 Shoreham Building, Washington 5, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: General commodities, including articles of unusual value, but excluding Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment. between the Los Angeles International Airport, Los Angeles, Calif., and the Lockheed Air Terminal, Burbank, Calif., on the one hand, and, on the other, points in that part of California bounded by a line beginning at a point on the San Bernardino-Los Angeles County line, approximately four (4) miles north of the intersection of Baseline and Palmetto Avenues, thence south along the San Bernardino-Los Angeles-Orange County line to a point four (4) miles south of intersection with California Highway 18 and U.S. Highway 91, thence east along an imaginary line to intersection with Perris Boulevard, thence north along Perris Boulevard along an imaginary line to intersection with the San Bernardino County line, thence east nine (9) miles, thence north on an imaginary line thirteen (13) miles, thence west to point of origin on the San Bernardino-Los Angeles County line, including points on the indicated portions of the highways specified. RESTRICTION: The authority to be granted herein will be restricted to traffic having a prior or subsequent movement by air.

HEARING: September 12, 1960, at the Federal Building, Los Angeles, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn,

No. MC 117415 (Sub No. 1), filed January 4, 1960. Applicant: HI-LINE TRANSPORT, INC., 1872 South Second West, Salt Lake City, Utah. Applicant's attorney: Merlin R. Lybbert, 520 Continental Bank Building, Salt Lake City, Utah. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes transporting: Lumber, from points in the following Counties in California: Del Norte, Humboldt, Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Glenn, Butte, Sierra, Sonoma, Lake, Colusa, Yuba, Nevada, Placer, Sutter. Yolo, Napa, Marin, Solano, Alameda, San Joaquin, and Sacramento, to points in Utah, and, from points in Plumas and Mendocino Counties, Calif., to points in Utah, except those located in Salt Lake and Davis Counties, Utah, and rejected shipments of lumber, and exempt agricultural commodities, on return. Applicant is authorized to transport lumber from points in Mendocino and Plumas Counties, Calif., to points in Salt Lake and Davis Counties, Utah.

HEARING: September 16, 1960, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No.

No. MC 117584 (Sub No. 1), filed April 11, 1960. Applicant: CGW TRUCKING

CO., INC., P.O. Box 1, East Main Street, Casa Grande, Ariz. Applicant's attorney: Stephen W. Langmade, 703 Luhrs Tower, Phoenix, Ariz. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Chemical fertilizers, in bulk and in bags, from points in Los Angeles, Orange, and San Diego Counties, Calif., and Fontana, Brea, Nitroshell, and Vernon, Calif., and points in the Los Angeles Harbor Commercial Zone, as defined by the Commission, to points in Pinal and Cochise Counties, Ariz., and exempt commodities on return. Applicant requests the proposed transportation be subject to the restriction that liquid chemical fertilizers are not authorized.

HEARING: September 26, 1960, at the Federal Building, Los Angeles, Calif., before Joint Board No. 47, or if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 118596 (Sub No. 1), filed February 8, 1960. Applicant: JOHN W. FRENCH, 9619 Holy Cross Road, East St. Louis, Ill. Applicant's attorney: R. H. Burroughs 115A East Main Street, Colinsville, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Lime pebble, in bulk, in dump trucks, from St. Genevieve, Mo., and points within five (5) miles thereof, to East Chicago, Ind., and points in Illinois except points in St. Clair County, Ill. and points in the Chicago, Ill., Commercial Zone.

HEARING: September 19, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 160.

No. MC 118779 (Sub No. 7), filed June 17, 1960. Applicant: PENNSYLVANIA TRUCK LINES, INC., 110 South Main Street, Pittsburgh, Pa. Applicant's attorney: Gilbert Nurick, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Liquid petroleum products, in bulk, in tank vehicles, between points which are stations or other facilities on the line of the Pennsylvania Railroad Company in Pennsylvania, Ohio, New Jersey, New York, Maryland, Delaware, Virginia, West Virginia, and the District of Co-RESTRICTION: lumbia. Applicant states the proposed service is to be limited to transportation for the Pennsylvania Railroad Company for railroad fuel storage facilities, locomotives and other railroad uses in the abovespecified territory.

Note: Applicant holds common carrier authority in Permit No. MC 19201 and Substhereunder. Applicant indicates it is controlled by the Pennsylvania Railroad Company. Dual operations and common control may be involved.

HEARING: September 9, 1960, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James I. Carr.

No. MC 118831 (Sub No. 8), filed May 19, 1960. Applicant: CENTRAL TRANSPORT, INCORPORATED, East College Drive, High Point, N.C. Authority sought to operate as a common car-

rier, by motor vehicle, over irregular routes, transporting: Clay, kaolin or pyrophyllite, in bulk, from points in Aiken County, S.C., to points in North Carolina and Virginia.

Note: Applicant states its President is also Vice-President of Colonial Motor Freight Line, Inc., Certificate No. MC-1380; there-fore, common control may be involved.

HEARING: September 19, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 196.

No. MC 118991 (Sub No. 1), filed February 1, 1960. Applicant: COAST TO COAST TRUCKING CO., a Corporation, 856 Warner Street SW., Atlanta, Ga. Applicant's attorney: Allan Watkins, 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: (1) Carpets, rugs, cotton, rayon and wool fabrics, cotton, rayon and synthetic fibre, and machinery for the manufacture thereof, (a) from points in North Carolina, South Carolina, Georgia, and Tennessee, to points in California, Arizona, New York, New Jersey, and Pennsylvania, and (b) from points in New York, New Jersey, and Pennsylvania, to points in North Carolina, South Carolina, Georgia, and Tennessee; and (2) Electrical appliances and parts thereof, heating and cooking equipment, and parts thereof, hot water heaters and parts thereof, air conditioning equipment, and parts thereof, rubber floor mats, cleaning and scouring compounds, paint removing compound, cooling and freezing machines, and parts thereof, sheet aluminum, and garbage disposal units, and parts thereof, from points in California, to points in Texas, Louisiana, Mississippi, Alabama, Georgia, Tennessee, Florida, North Carolina, South Carolina, Virginia, Maryland, Delaware, and Pennsylvania.

Note: Applicant states the proposed service shall be restricted to Shipper's Cooperative, Inc., under a continuing contract.

HEARING: October 3, 1960, at the Federal Building, Los Angeles, Calif.,

before Examiner William E. Messer. No. MC 119533, filed February 25, 1960. Applicant: BERRY WARD, RUSSELL WARD and GENE WARD, doing business as WARD'S TRUCK SERVICE, Route 2, Columbia, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Feed and fertilizer, from East St. Louis, Ill., to points in Boone County, Mo., and livestock and exempt commodities on return.

HEARING: September 21, 1960, at the Missouri Hotel, Jefferson City, Mo., be-

fore Joint Board No. 135:

No. MC 119533 (Sub No. 1), February 24, 1960. Applicant: Berry Ward, Russell Ward and Gene Ward, doing business as WARD'S TRUCK SERVICE (a partnership), Route 2, Columbia, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Feed, from Kansas City, Kans., to points in Boone

commodities on return.

HEARING: September 21, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 36.

No. MC 119602 (Sub No. 1), filed May 31, 1960. Applicant: ALLEN A. BORDELON, 500 Tulance Drive NE., Albuquerque, N. Mex. Applicant's representative: L. C. Cypert, Room 2, 11151/2 Central Avenue NE., Albuquerque, N. Mex. Authority sought to operate as a contract carrier, by motor vehicle, over regular routes, transporting: Meats, meat products, meat byproducts and dairy products as listed in Section A, B, and C of Appendix I of the Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, (1) from Albuquerque, N. Mex., over U.S. Highway 66 to Gallup, N. Mex., serving all intermediate points. (2) From Albuquerque, N. Mex., over New Mexico Highway 422 to junction U.S. Highway 85, thence over U.S. Highway 85 to Santa Fe, N. Mex., thence over U.S. Highway 285 to Espanola, N. Mex., thence over New Mexico unnumbered highway to junction New Mexico Highway 4, thence over New Mexico Highway 4 to junction unnumbered highway, and thence over the unnumbered highway to Los Alamos, N. Mex., serving all intermediate points. (3) From junction U.S. Highway 285 and New Mexico Highway 4, over New Mexico Highway 4 to junction unnumbered highway, as an alternate route for operating convenience only, serving no intermediate points, in connection with the authority in Route 2 above.

HEARING: September 29, 1960, at the

New Mexico State Corporation Commission, Santa Fe, N. Mex., before Joint

Board No. 87.

No. MC 119632 (Sub-No. 4), filed June 10, 1960. Applicant: REED LINES, INC., 210 North Clinton, Defiance, Ohio. Applicant's attorney: John R. Meeks, 607 Copley Road, Akron 20, Ohio. Authority sought to operate as a common carrier. by motor vehicle, over irregular routes, transporting: Such merchandise (commodities) as are dealt in rubber products plants and in connection therewith, equipment, materials and supplies used in the conduct of such business, between the plant site of B. F. Goodrich Tire Company, in Miland Township, Allen County, Ind., and points in the United States on and east of the Mississippi River, including all west bank points, namely the States of Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Tennessee, Kentucky, Illinois, Indiana, Ohio, Michigan, Wisconsin, West Virginia, Pennsylvania, Virginia, New York, New Jersey, Delaware, Maryland, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, the District of Co-lumbia, Louisiana, Arkansas, Missouri, Iowa, and Minnesota.

HEARING: September 9, 1960, in the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Leo W. Cunningham.

No. MC 119645 (Sub No. 2), filed May 31, 1960. Applicant: SUR-WAY LINES, INC., 1526 N. Newton Street, Springfield,

County, Mo., and livestock and exempt Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, from East St. Louis, Ill., to Springfield, Mt. Vernon, and Marionville, Mo.

HEARING: September 21, 1960, at the Missouri Hotel, Jefferson City, Mo., be-

fore Joint Board No. 135.

No. MC 119784, filed May 16, 1960. Applicant: AUSTIN K. LIVELY, State Center, Iowa. Applicant's attorney: Robert R. Rydell, 1014 Savings & Loan Building, Des Moines 9, Iowa. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: Linseed meal and linseed screenings, in bag, and in bulk, from Minneapolis and St. Paul, Minn. to points in that part of Iowa located on and east of U.S. Highway 169, extending south-ward along U.S. Highway 169 from the Minnesota-Iowa State line to junction Iowa Highway 92, thence eastward along Iowa Highway 92 to junction U.S. Highway 218, thence northward along U.S. Highway 218 to the Iowa-Minnesota State line.

HEARING: September 26, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 146.

No. MC 119787 (Sub No. 1), filed May 1, 1960. Applicant: FRED WILSON 31, 1960. GROVES, Route No. 1, Leland, N.C. Applicant's attorney: Vaughan S. Winborne, Security Bank Building, Raleigh, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Treated poles, pilings, and other wooden products, from Wilmington, N.C., to points in South Carolina, and wood products for the purpose of being treated from points in South Carolina to Wilmington, N.C.

HEARING: September 15, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint

Board No. 2.

No. MC 119787 (Sub No. 2), filed May 1, 1960. Applicant: FRED WILSON 31, 1960. GROVES. Route No. 1, Leland, N.C. Applicant's attorney: Vaughan S. Winborne, Security Bank Building, Raleigh, N.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Prestressed concrete products, to be used in all types of construction, between Wilmington, N.C., and points in South Carolina within 175 miles of Wilmington. N.C.

Note: Applicant is expected to deliniate with particularity, at the hearing, the territory referred to as "points in South Carolina within a radius of 175 miles of Wilmington,

HEARING: September 15, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 2.

No. MC 119799, filed May 19, 1960. Applicant: JAMES O. GARNER, Southport, N.C. Applicant's attorney: E. J. Prevatte, Southport, N.C. Authority sought to operate as a Contract carrier, by motor vehicle, over irregular routes, transporting: Fish by-products, fish meal, fish scrap and fish solubles, from Southport and Morehead City, N.C. to

and Newberry, S.C., Spartanburg, Gainesville, Macon and Tunnel Hill, Ga. HEARING: September 19, 1960, at the U.S. Court Rooms, Uptown Post Office Building, Raleigh, N.C., before Joint Board No. 130.

No. MC 119806, filed May 23, 1960. Applicant: CHESTER R. TURNER AND HAROLD D. TURNER, doing business as TURNER BROTHERS, a Partnership, Tebbetts, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, from East St. Louis, Ill., Commercial Zone, as defined by the Commission, to points in Callaway County, Mo., and grain and exempt commodities on return.

HEARING: September 21, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

No. MC 119839, filed June 9, 1960. Applicant: DARREL M. BAKER and LEE SHELL, doing business as SHELL FEED & SUPPLY CO., Lutesville, Mo. Applicant's attorney: Joseph R. Nacy, 117 West High Street, Jefferson City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer, in bags and in bulk, from points in the St. Louis. Mo.-East St. Louis, Ill., Commercial Zone, as defined by the Commission, to points in Wayne and Bollinger Counties, Mo., and exempt commodities, as described in section 203(b)(6), Interstate Commerce Act, on return.

HEARING: September 15, 1960, at the Missouri Hotel, Jefferson City, Mo., before Joint Board No. 135.

No. MC 119841, filed June 10, 1960. Applicant: CHARLES WILLIAM WAT-TON, doing business as CHARLES WAT-TON TRUCKING CO., 308 North Sixth, Lamar, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Manufactured feeds, including alfalfa pellets, cotton-seed meal and cake, and pickles; pipe, iron and steel, and steel articles, salt, and produce, between points in Colorado, Kansas, Nebraska, Oklahoma, and Texas.

HEARING: September 13, 1960, at the New Customs House, Denver, Colo., before Examiner William E. Messer.

MOTOR CARRIERS OF PASSENGERS

No. MC 68167 (Sub No. 35), filed May 25, 1960. Applicant: WASHINGTON, VIRGINIA AND MARYLAND COACH COMPANY, INC., 707 North Randolph Street, Arlington, Va. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in the same vehicle with passengers, in special operations, during respective racing seasons, beginning and ending at points in Arlington and Fairfax Counties, Va., including Cities and Townships therein, and extending to Shenandoah Downs Race Track, and Charles Town Race Course, Charles Town, W. Va.

HEARING: September 14, 1960, at the U.S. Court Rooms, Richmond, Va., before Joint Board No. 245.

No. MC 119824, filed May 31, 1960. Applicant: WENDELL D. MYERS, doing as IOWA STOCKMEN'S business TRANSPORTATION, 801 Beautiful Street, Tama, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: Passengers and their baggage, (1) between Ames, Iowa, and the Chicago Union Stock Yards, Chicago, Ill.: from Ames over U.S. Highway 30 to junction Illinois Tollway near Sugar Grove, Ill., thence over Illinois Tollway to junction Congress Street Expressway, and thence over Congress Street Expressway and City streets to the Chicago Union Stock Yards, Chicago, and return over the same routes, serving all intermediate points in Iowa; and (2) between Fort Dodge, Iowa, and the Chicago Union Stock Yards, Chicago, Ill.: from Fort Dodge over U.S. Highway 20 to junction Iowa Highway 38 near Delaware, thence over Iowa Highway 38, via Monticello, to junction Iowa Highway 64. thence over Iowa Highway 64 to junction Iowa Highway 136 at Wyoming, Iowa, thence over Iowa Highway 136 to junction U.S. Highway 61, thence over U.S. Highway 61 to junction U.S. Highway 30 at DeWitt, Iowa, thence over U.S. Highway 30 to junction Illinois Tollway near Sugar Grove, Ill., thence over Illinois Tollway to junction Congress Street Expressway, and thence over Congress Street Expressway and City streets to the Chicago Union Stock Yards, Chicago, and return over the same routes, serving all intermediate points in Iowa.

HEARING: September 28, 1960, in Room 401, Old Federal Office Building, Fifth and Court Avenues. Des Moines. Iowa, before Joint Board No. 54.

Nó. MC 119843, filed June 10, 1960. Applicant: RIVERSIDE TAXICAB COMPANY, 4692 Commerce Street, Riverside, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage in charter operations, beginning and ending at points in Riverside and Orange Counties, Calif., and extending to points in Oregon, Washington, Nevada, Utah, Arizona, New Mexico, and Texas.

HEARING: September 13, 1960, at the Federal Building, Los Angeles, Calif., before Examiner F. Roy Linn.

The following applications are set for pre-hearing conference on August 3, 1960, at the Baker Hotel, Dallas, Tex., before Examiner James C. Cheseldine. At the pre-hearing conference it is contemplated that the following matters will be discussed: (1) The issues generally with a view to their simplification; (2) The possibility and desirability of agreeing upon special procedure to expedite and control the handling of these applications, including the submission of the supporting and opposing shipper testimony by verified statements; (3) The time and place or places of such hearing or hearings as may be agreed upon: (4) The number of witnesses to be presented and the time required for such presentations by both applicant and protestants: (6) The practicability

of both applicant and the opposing carriers submitting in written form their direct testimony with respect to: (a) Their present operating authority, (b) Their corporate organizations if any, ownership and control, (c) Their fiscal data, (d) Their equipment, terminals, and other facilities; (6) The practicability and desirability of all parties exchanging exhibits covering the immediately above-listed matters in advance of any hearing; and (7) Any other matters by which the hearing can be expedited or simplified or the Commission's handling thereof aided.

No. MC 704 (Sub No. 22), filed May 13, 1960. Applicant: J. O. (Red) WILLETT PIPELINE STRINGING CORPORA-TION, P.O. Box 2836, Louisville Station, Monroe, La. Applicant's attorney: Carll V. Kretsinger, 1014–18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe, pipe line material, machinery, equipment, and supplies incidental to and used in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, (1) between points in Arkansas, Louisiana, Texas, Oklahoma, Kansas, Missouri, Iowa, Nebraska, and Wyoming; (2) between points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, Wisconsin, West Virginia, and the District of Columbia; (3) between points in Arizona, Idaho, Nevada, Washington, Oregon, New Mexico, Montana, Utah, and Colorado; and (4) between points in Arizona, Idaho, Nevada, Washington, Oregon, New Mexico, Montana, Utah, and Colorado, on the one hand, and, on the other, points in the remaining States of the United States and the District of Columbia, but excluding points in California, Alaska, and Hawaii.

No. MC 4868 (Sub No. 6), filed May 27, 1960. Applicant: MAY GREVER AND CLYDE GREVER, doing business as GREVER TRUCKING CO., 5315 West Eighth Street, Tulsa, Okla. Applicant's attorney: W. T. Brunson, 508 Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Kansas, Oklahoma, and Texas; (2) between Tulsa, Okla., and points within five (5) miles of Tulsa, on the one hand, and, on the other, points in Arkansas, Louisiana, and Mississippi; and (3) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Montana, and Utah.

Note: Applicant states the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products or by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant further states it proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 4964 (Sub No. 27), filed May 27. 1960. Applicant: ROY L. JONES, INC., 915 McCarty Avenue, Houston, Tex. Applicant's attorney: Austin L. Hatchell, Suite 1009 Perry-Brooks Building, Austin 1. Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products (a) between points in New Mexico, on the one hand, and, on the other, points in Oklahoma, Kansas, Missouri, Arkansas, and Tennessee; (b) between points in Oklahoma, on the one hand, and, on the other, points in North Dakota on and west of North Dakota Highway 30, and those in South Dakota west of the Missouri River and on and north of U.S. Highway 14, extending through Hayes, Midland, Rapid City and Sturgis, S. Dak.; (c) between points in Louisiana, Arkansas, Oklahoma, Mississippi and Texas; (d) between points in Alabama, Louisiana, and Mississippi; (e) between points in Alabama, Louisiana, and those in Mississippi on and south of U.S. Highway 82, on the one hand, and, on the other, points in Arkansas and Tennessee: (f) between points in Georgia. on the one hand, and, on the other, points in Alabama and Mississippi; (g) between points in Mississippi, Alabama, Georgia, and Florida; (h) between points in Alabama, Georgia, and Florida, on the one hand, and, on the other, points in New Mexico, Texas, Arkansas, and Louisiana, traversing Mississippi and Oklahoma for operating convenience only; (i) between points in Texas, on the one hand, and, on the other, points in North Dakota on and west of a line beginning at the United States-Canada boundary line and extending along North Dakota Highway 30 through St. John, York, and Medina to Lehr, thence along unnumbered highway to Ashley, and thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, and those in South Dakota west of the Missouri River and on and north of U.S. Highway 14, extending through Hayes, Midland, Rapid City, and Sturgis, S. Dak.; and (j) between points in Alaska, on the one hand, and, on the other, points in Texas, New Mexico, Oklahoma, Kansas, Missouri, Arkansas, Tennessee, Louisiana, Mississippi, Alabama, Georgia, Florida, North Dakota, and South Dakota, traversing the States

of Colorado, Wyoming, Montana, Nebraska, Idaho, Oregon, Nevada, Utah, Arizona, and Washington for operating convenience only. No duplicating authority is sought herein.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 5623 (Sub No. 9), filed May 27, 1960. Applicant: ARROW TRUCK-ING CO., a Corporation, P.O. Box 8627, Tulsa, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Oklahoma, Kansas, and Texas. (2) Between points in Louisiana, Arkansas, Texas, and Mississippi. (3) Between points in Oklahoma, on the one hand, and, on the other, points in Louisiana, Arkansas, and Mississippi. (4) Between points in Lea and Eddy Counties, N. Mex., and points in Carson, Hutchinson, Gray, and Moore Counties, Texas. (5) Between points in Hutchinson County, Texas, on the one hand, and, on the other, points in Roosevelt County, N. Mex.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant, presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 8907 (Sub-No. 4), filed June 20, 1960. Applicant: OIL FIELD TRUCK-ERS, INC., P.O. Box 3066, Odessa, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operations, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof. other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Louisiana and Texas; (2) between Iowa Park, Tex., and points within 100 miles of Iowa Park, on the one hand. and, on the other, points in Oklahoma, and those in Lea and Eddy Counties, N. Mex.; (3) between points in San Juan, Rio Arriba, and McKinley Counties, N. Mex., Dolores, San Miguel, Montezuma, San Juan, La Plata, and Archuleta Counties, Colo., Navajo and Apache Counties, Ariz., and San Juan County, Utah; (4) between points in Nevada, on the one hand, and, on the other, points in Texas, and those in Lea, Eddy, San Juan, Rio Arriba, and McKinley Counties, N. Mex., and (5) between Wink, Odessa, and Monahans, Tex., and oil fields in Winkler, Ector, Ward, and Crane Counties, Tex., on the one hand, and, on the other, oil fields in Lea County, N. Mex. (Except service is not authorized to towns or stations in Lea County, N. Mex.)

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 10881 (Sub No. 2), filed June 20, 1960. Applicant: CANYON TRUCK-ING CO., a Corporation, Midland, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas and petroleum, and their products and by-products, between points in Lea and Eddy Counties. N. Mex., and points in Kansas, Oklahoma, Texas, and Louisiana.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 13250 (Sub No. 68), filed May 12, 1960. Applicant: J. H. ROSE TRUCK LINE, INC., 3804 Jensen Drive, P.O. Box 16037, Houston 22, Tex. Applicant's attorneys: Charles D. Mathews and Jerry Prestridge, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Arkansas, California, Kansas, Louisiana, New Mexico, Oklahoma, and Texas. (2) Between points in California and Texas, on the one hand, and, on the other, points in Arizona, Colorado, and Utah. (3) Between points in Texas, on the one hand, and, on the other, points in

Wyoming and Montana. (4) Between points in Idaho, Montana, Wyoming, Colorado, North Dakota, South Dakota, and Nebraska. (5) Between points in Nevada, on the one hand, and, on the other, points in Idaho, Wyoming, Utah, Colorado, Arizona, and New Mexico. (6) Between points in California south of the northern boundary of San Luis Obispo, Kern, and San Bernardino Counties, Calif., on the one hand, and, on the other, Casper, Wyo. (7) Between points in Nevada. (8) Between points in Nevada, on the one hand, and, on the other, points in Wyoming, Colorado, Montana, North Dakota, South Dakota, and Utah. (9) Between points in Idaho. (10) Between points in Idaho, on the one hand, and, on the other, points in Wyoming, Colorado, Montana, North Dakota, South Dakota, and Utah. (11) Between points in Alabama, Florida, and Georgia. (12) Between points in Texas. on the one hand, and, on the other, points in Alabama, Florida, and Georgia. (13) Between Kilgore, Tex., and points within 200 miles thereof, on the one hand, and, on the other, points in Ar-Louisiana, Mississippi, and kansas. Oklahoma.

Note: Applicant states the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and byproducts. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 14743 (Sub No. 22), filed May 27, 1960. Applicant: E. L. POWELL & SONS TRUCKING CO., INC., 405 North Elwood, Tulsa, Okla. Applicant's attorney: W. T. Brunson, 508 Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Kansas, New Mexico, Oklahoma, and Texas; (2) between points in Oklahoma and Kansas, on the one hand, and, on the other, points in Arkansas and Louisiana, excepting that no traffic shall be transported from Oklahoma City, Okla., to points in Arkansas and Louisiana; (3) between points in Tulsa County, Okla., on the one hand, and, on the other, points in Mississippi, Colorado, and Wyoming; (4) between points in Oklahoma, on the one hand, and, on the other, points in that part of Montana on and east of a line beginning at the Montana-Wyoming State line near Alzada, Mont., and extending along U.S. Highway 212 to Miles City, Mont., thence along Montana Highway 22 to Jordan, Mont., thence northwesterly in a straight line to Malta, Mont., and thence along Montana Highway 19 to the United

States-Canadian Boundary line, points in that part of North Dakota on and west of a line beginning at the United States-Canadian Boundary line, and extending along North Dakota Highway 30 to Ashley, N. Dak., and thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, and points in South Dakota west of the Missouri River and on and north of a line beginning at the Missouri River at Pierre, S. Dak., and extending along U.S. Highway 14 to Philip, S. Dak., thence along South Dakota Highway 73 (formerly U.S. Highway 14) to Philip Junction, S. Dak., thence along U.S. Highway 16 (formerly U.S. Highway 14) to junction U.S. Highway 14, thence along U.S. Highway 14 to junction Alternate U.S. Highway 14 (formerly U.S. Highway 14), thence along Alternate U.S. Highway 14 to junction U.S. Highway 85 (formerly U.S. Highway 14), thence along U.S. Highway 85 to junction U.S. Highway 14, and thence along U.S. Highway 14 to the South Dakota-Wyoming State line; (5) between points in Oklahoma on and east of U.S. Highway 81, points in Texas on and east of U.S. Highway 281, and on and north of U.S. Highway 90, and points in Kansas on and east of U.S. Highway 81, and on and south of U.S. Highway 54, on the one hand, and, on the other, points in Wyoming and Colorado. RESTRIC-TION: Service under the authority specified immediately above to be subject to the following conditions: (a) All traffic must move through points in Oklahoma on and east of U.S. Highway 81, as a gateway: and (b) Said authority specified immediately above may not be tacked or combined with any other authority granted herein-above and used to provide a through service between points other than those named immediately above; (6) between points in Oklahoma, on the one hand, and, on the other, ports of entry on the United States-Canada International Boundary line in Montana and North Dakota between Sweetgrass. Mont., and Pembina, N. Dak., including Sweetgrass and Pembina; and (7) between Kansas City, Kans., and points in Missouri and Kansas within 100 miles thereof, on the one hand, and, on the other, points in Utah and Arizona. RE-STRICTION: The authority to be granted immediately above shall not be combined with any other authority held by carrier for the purpose of conducting through operations.

Note: Applicant states that the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant further states it proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 19416 (Sub No. 11), filed May 31, 1960. Applicant: DUNN BROS., INC., 801 Mercantile Securities Building, P.O. Box 5771, Dallas 22, Tex. Applicant's at-

torney: Rollo E. Kidwell, 305 Empire Bank Building, Dallas 1, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe, pipeline material, machinery, equipment and supplies, incidental to and used in connection with the construction, operation, repairing, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof, (1) between points in Texas, Louisiana, New Mexico, Oklahoma, Kansas, Missouri, Nebraska, Iowa, and Minnesota; (2) between points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia: (3) between points in the above-specified States and the District of Columbia, on the one hand, and, on the other, points in Texas, Louisiana, New Mexico, Oklahoma, Kansas, Missouri, Nebraska, Iowa, and Minnesota; (4) between points in Colorado, Idaho, Montana, Utah, Wyoming, Arizona, Oregon, Nevada, and Washington; and (5) between points in Colorado, Idaho, Montana, Utah, Wyoming, Arizona, Oregon, Nevada, and Washington, on the one hand, and, on the other, points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

No. MC 22046 (Sub No. 9), filed June 20, 1960. Applicant: W. M. (BILLY) WALKER, INC., 129 South Grimes, Hobbs, N. Mex. Applicant's attorneys: Charles D. Mathews and Jerry Prestridge, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Eddy and Lea Counties. N. Mex., on the one hand, and, on the other, points in that part of Texas on and west of a line beginning at the boundary of the United States and Mexico and extending along U.S. Highway 277 to San Angelo, Tex., thence along Texas Highway 70 to junction U.S. Highway 380, thence along U.S. Highway 380 to Jayton, Tex., thence along Texas Highway 70 to Dickens, Tex., thence along U.S. Highway 82 to Guthrie, Tex., thence along U.S. Highway 83 to Canadian, Tex., and thence along U.S.

Highway 60 to the Texas-Oklahoma State line; and (2) between points in New Mexico, and those in that part of Texas west of a line beginning at Laredo, Tex., and extending along U.S. Highway 81 to Bowie, Tex., thence along U.S. Highway 287 to Vernon Tex., and thence along U.S. Highway 283 to the Texas-Oklahoma State line.

Note: Applicant states the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant has appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. Applicant further states that no extension of territorial authority is sought.

No. MC 23618 (Sub No. 9), filed May 13, 1960. Applicant: O. H. McALISTER, P.O. Box 1149, 1608 Scurry Street, Big Spring, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum, or their products and by-products. (1) Between points in Kansas, Louisiana, New Mexico, Oklahoma, and Texas. (2) Between points in Kansas, Louisiana, New Mexico, Oklahoma, and Texas, on the one hand, and, on the other, points in Arizona, Colorado, Utah, and Wyoming. (3) Between points in Texas, on the one hand, and, on the other, points in Montana.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 30042 (Sub No. 19), filed May 27, 1960. Applicant: SECURITY TRUCKING COMPANY, a Corporation, P.O. Box 2497, 1211 North Peoria, Tulsa, Okla. Applicant's attorney: W. T. Brunson, 508 Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with. the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Oklahoma, Kansas, and Texas; (2) between points in Oklahoma, Kansas, Arkansas, and Texas, and points in Lea and Eddy Counties, N. Mex., on the one hand, and,

on the other, points in Illinois and Missouri; (3) between points in Oklahoma, on the one hand, and, on the other, points in Arkansas and Louisiana; (4) between points in New Mexico; (5) between points in New Mexico, on the one hand, and, on the other, points in Texas; (6) between points in Oklahoma, on the one hand, and, on the other, points in that part of Montana on and east of a line beginning at the Montana-Wyoming State line near Alzada, Mont., and extending along U.S. Highway 212 to Miles City, Mont., thence along Montana Highway 22 to Jordan, Mont., thence northwesterly in a straight line to Malta, Mont., and thence along Montana Highway 19 to the Canadian boundary, points in that part of North Dakota on and west of a line beginning at the North Dakota-Canadian Boundary line, and extending along North Dakota Highway 30 through Rolla, York, Hamberg, Sykeston, Medina, and Lehr, N. Dak., to Ashley, N. Dak., and thence along North Dakota Highway 3 to the North Dakota-South Dakota State line, and points in South Dakota west of the Missouri River and on and north of a line beginning at Pierre, S. Dak., and extending along U.S. Highway 14 to Philip, S. Dak., thence along South Dakota Highway 73 (formerly U.S. Highway 14), thence along U.S. Highway 16 to junction U.S. Highway 14, thence along U.S. Highway 14 to Sturgis, S. Dak., thence along Alternate U.S. Highway 14 (formerly U.S. Highway 14) to junction U.S. Highway 85 (formerly U.S. Highway 14), thence along U.S. Highway 85 to junction U.S. Highway 14, and thence along U.S. Highway 14 to the South Dakota-Wyoming State line; and (7) between points in Oklahoma, on the one hand, and, on the other, ports of entry on the United States-Canada Boundary line and Pembina, N. Dak., and Sweet-grass, Mont., restricted to traffic moving to or from points in Canada.

Note: Applicant states that the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products or byproducts. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant further states it proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 30479 (Sub No. 6), filed June 20, 1960. Applicant: ATLAS TRUCK LINE, INC., 9520 Easthaven, Houston 17, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies. used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas and petroleum, and their products and by-products, (1) between points in Kansas, Oklahoma, and Texas, and (2) between points in Arkansas, Louisiana, Mississippi, and Texas.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum, or their products and byproducts. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum, or their products and by-products. No extension of territorial authority is sought.

No. MC 30798 (Sub No. 1), filed June 20, 1960. Applicant: MILLER BROTH-ERS TRUCK LINE, INC., 901 Northeast 28th Street, Fort Worth 6, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier. by motor vehicle, over irregular routes. transporting: Machinery, equipment, materials and supplies, used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas and petroleum, and their products and by-products, (1) between points in Texas, and (2) between points in Red River County, Tex., on the one hand, and, on the other, points in Oklahoma.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 34231 (Sub No. 7), filed May 27, 1960. Applicant: RAYMOND NYE. dba RAYMOND NYE OIL FIELD TRUCKING, 1423 West Frank Phillips Boulevard, Bartlesville, Okla. Applicant's attorney: W. T. Brunson, Leon-hardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies, used in, or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Texas. (2) Between points in Oklahoma, on the one hand, and, on the other, points in Texas. (3) Between points in Kansas and Oklahoma. (4) Between points in Kansas, on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Louisiana, Missouri, Nebraska, New Mexico. Texas, and Wyoming.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products or by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products or by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 41309 (Sub No. 13), filed June 20, 1960. Applicant: JEFFRIES-EAVES, INC., P.O. Box 1015, Albuquerque, N. Mex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in New Mexico, Arizona, Texas, and Colorado. (2) Between points in Wyoming, Montana, Utah, Colorado, North Dakota, South Dakota, and Nebraska. (3) Between points in Oklahoma and Kansas. (4) Between points in Arkansas, Colorado, and Texas. (5) Between points in Arkansas, Colorado, and Texas, on the one hand, and, on the other, points in Oklahoma and Kansas. (6) Between points in Arkansas, Kansas, Missouri, Oklahoma, and Texas.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 43867 (Sub No. 15), filed May 13, 1960. Applicant: ALTON LEANDER McALISTER, P.O. Box 2214, Wichita Falls, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415 Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas. petroleum or their products and byproducts, (1) Between points in Oklahoma, Texas, Kansas, and those in Lea and Eddy Counties, N. Mex. (2) Between points in Kansas, Oklahoma, Texas, and those in Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Arizona, Colorado, Utah, and Wyoming. (3) Between points in Texas. on the one hand, and, on the other, points in Montana. (4) Between points in Illinois, Indiana, and Kentucky, on the one hand, and, on the other, St. Louis, Mo., and points in Kansas and Oklahoma. (5) Between points in Texas.

Oklahoma, and Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Nevada.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 52511 (Sub No. 32), filed May 1960. Applicant: HUNSAKER TRUCKING CONTRACTOR, INC., P.O. Box 97, Carrollton, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including, the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) Between points in Kansas, Louisiana, New Mexico, Oklahoma, and Texas. (2) Between points in Alabama, Arkansas, Florida, Georgia, and Mississippi. (3) Between points in Alabama, Arkansas, Florida, Georgia, and Mississippi, on the one hand, and, on the other, points in Kansas, Louisiana, New Mexico, Oklahoma, and Texas. (4) Between points in Texas, on the one hand, and, on the other, points in Colorado. Wyoming, Utah, and Montana.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 56887 (Sub No. 7), filed May 13, 1960. Applicant: JESS EDWARDS, INC., P.O. Box 1091, Corpus Christi, Tex. Applicant's attorney: Ewell H. Muse, Jr., Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof. other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between points in Kansas, Colorado, Nebraska, Oklahoma, and Texas.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection

with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 63792 (Sub No. 8), filed June 6, 1960. Applicant: HOWARD T. TEL-LEPSEN, doing business as TOM HICKS TRANSFER COMPANY, P.O. Box 283, Harvey, La. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City 2, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas. petroleum or their products and byproducts, (1) between points in Alabama. Florida, and Georgia. (2) Between points in Arkansas, Louisiana, and Mississippi. (3) Between points in Louisiana and Mississippi, on the one hand, and, on the other, points in Alabama, Florida, and Georgia.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present authority.

No. MC 68100 (Sub-No. 11) filed May 27, 1960. Applicant: D. P. BONHAM TRANSFER, INC., P.O. Box 1250, Bartlesville, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, between points in (1) Kansas, Oklahoma, Arkansas, Texas, Missouri, and New Mexico; (2) between Bartlesville, Okla., on the one hand, and, on the other, points in the lower peninsula of Michigan; (3) between Bartlesville, Okla., on the one hand, and, on the other, points in Illinois, Pennsylvania, New York, West Virginia, Wyoming, Colorado. and Montana; (4) between Bartlesville. Okla., on the one hand, and, on the other, points in Arkansas, Kansas, Missouri, New Mexico, and Texas, and (5) between Bartlesville, Okla., on the one hand, and, on the other, points in Alaska, Alabama, Arizona, California, Connecticut, Dela-ware, the District of Columbia, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New Hampshire, New Jersey, North Carolina, North Dakota,

Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Washington, and Wisconsin, and those in the upper peninsula of Michigan.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and No extension of territorial auby-products. thority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 74321 (Sub No. 22), filed June 20, 1960. Applicant: B. F. WALKER, INC., 100 West Seventh Street, Fort Worth, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, Austin, Tex. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Texas, Louisiana, Oklahoma, New Mexico, and Kansas; (2) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana; (3) between points in New Mexico, Arizona, North Dakota, South Dakota, Nebraska, Wyoming, Colorado, Montana, and Utah, and (4) between points in Nevada, on the one hand, and, on the other, points in Arizona, Colorado, Montana, New Mexico, Nebraska, South Dakota, North Dakota, Utah, and Wyoming.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 83539 (Sub No. 66), filed May 2, 1960. Applicant: C & H TRANSPOR-TATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, 508 Leonhardt Building, Oklahoma City. Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Machinery, equipment, machinery, and supplies used in or in connection with. the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products. (2) Machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe-

Ohio, Oregon, Rhode Island, South lines, including the stringing and picking up thereof, except the stringing and picking up of pipe in connection with main or trunk pipelines; and, (3) Commodities, other than those described above, the transportation of which, because of their size or weight, require the use of special equipment or handling. and parts thereof, when moving in connection with such commodities, between points in Kansas and Oklahoma on the one hand, and, on the other, points in Oregon and Washington.

No. MC 83539 (Sub-No. 67), filed May 2, 1960. Applicant: C & H TRANSPOR-TATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, 508 Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Commodities, the transportation of which, because of their size or weight, requires the use of special equipment or handling. and parts thereof when moving in connection with such commodities, restricted against the stringing and picking up of pipe in connection with main or trunk pipelines, between points in Nevada, on the one hand, and, on the other, points in Arkansas, Kansas, Missouri, Oklahoma, and Texas.

Note: "The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of industries other than when used in or in connection with the natural gas and petroleum industry. Applicant presently holds appropriate authority to transport the involved commodities in connection with the natural gas and petroleum industry.

No. MC 83539 (Sub No. 68), filed May 3, 1960. Applicant: C & H TRANS-PORTATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, 508 Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Kansas. New Mexico, Texas, Oklahoma, and Louisiana; (2) between points in New Mexico, Texas and Oklahoma, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Mississippi, and Arkansas: (3) between points in Illinois, Indiana, Kentucky, Mississippi and Arkansas; (4) between points in Texas and Oklahoma, on the one hand, and on the other, points in North Dakota, South Dakota, and Wisconsin; (5) between Wichita, Kans., on the one hand, and, on the other, points in Missouri, Nebraska, Colorado, and those in Texas north of U.S. Highway 80; (6) between points in Texas north of U.S. Highway 80 from the Texas-Louisiana State Line through Marshall, Dallas, and Forth Worth, to Mineral Wells, Tex., and, east of U.S. Highway 281 from Mineral Wells through Wichita Falls to the Texas-Oklahoma

State Line, on the one hand, and, on the other, points in Colorado, Nebraska, and Missouri, and (7) between points in Nevada, on the one hand, and, on the other, points in Oklahoma, Kansas, Texas, New Mexico, and Colorado. (1) from Oil City and Braddock, Pa., to points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Montana, North Dakota, Oklahoma and Wyoming; (2) from points in Arkansas, Illinois, Kansas, Louisiana, Mississippi, Oklahoma, and Texas, to Oil City and Braddock, Pa.; (3) from Wichita Falls, Tex., to points in Pennsylvania, except Oil City and Braddock; (4) from Memphis, Tenn., to points in Kansas and Oklahoma; (5) from points in Ohio, to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas, and (6) from Tulsa, Okla., to points in Ohio. (1) between points in Illinois and Indiana, on the one hand, and on the other, points in Louisiana; (2) between points in Texas, on the one hand, and, on the other, points in Oregon and Washington; (3) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Mon-tana; (4) between Coffeyville, Kans., Bartlesville and Tulsa, Okla., on the one hand, and, on the other, points in Michigan and West Virginia; (5) between points in Louisiana, Arkansas, Oklahoma, Texas and Mississippi, on the one hand, and, on the other, points in Alabama, Georgia, Florida, and Tennessee; (6) between points in Alabama. Georgia, Florida, and Tennessee; (7) between Seagraves, Tex., and points within 250 miles thereof, those in Texas north of U.S. Highway 80 and west of U.S. Highway 75 beyond such 250 mile radius, including points on the indicated portions of the highways specified on the one hand, and, on the other, points in Arizona; (8) between points in New Mexico, on the one hand, and, on the other, points in Kansas and that part of Texas north of U.S. Highway 80 and west of U.S. Highway 75, including points on the indicated portions of the highways specified; (9) between points in Eddy, Lea and Roosevelt Counties, N. Mex., on the one hand, and, on the other, points in Texas within 250 miles of Seagraves, Tex.; (10) between points in Texas within 250 miles of Seagraves. Tex., except those north of U.S. Highway 80 and west of U.S. Highway 75, including points in Kansas, New Mexico. Oklahoma and that part of Texas north of U.S. Highway 80 and west of U.S. Highway 75, and within 250 miles of Seagraves, Tex., including points on the indicated portions of the highways specified, on the one hand, and, on the other, points in Arizona, and Colorado, and (11) between points in Kansas, New Mexico, and Oklahoma, on the one hand, and, on the other, points in Utah and Wyoming.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 83835 (Sub No. 40), filed May 23, 1960. Applicant: WALES TRUCK-ING COMPANY, a Corporation, 3319 Crest Boulevard, P.O. 6186, Dallas, Tex. Applicant's attorney: James W. Hightower, Suite 122, Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Kansas. Oklahoma and Texas, on the one hand, and, on the other, points in Michigan, Ohio, Pennsylvania, and West Virginia; (2) between points in Arkansas, Indiana, Iowa, Kansas, Colorado, Illinois, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, and Wyoming; (3) from Columbus and Marietta, Ohio, to points in Louisiana, New Mexico, Colorado, and Arkansas, with no transportation for compensation on return except as otherwise authorized; and (4) between points in Pennsylvania on and west of U.S. Highway 219, on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Ohio, West Virginia, and the Lower Peninsula of Michigan.

Note: Applicant states on return trips it proposes to transport the same commodities, except as shown in (3) above, and then only damaged and rejected shipments. Applicant further states that the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products; that it presently holds authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products; and that no extension of territorial authority is sought.

No. MC 85469 (Sub No. 3), filed June 20, 1960. Applicant: LEWIE MONT-GOMERY TRUCKING COMPANY, a Corporation, West County Road South, P.O. Box 432, Odessa, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used in the transmission of natural gas and petroleum, and their products and by-products, between points in New Mexico, Oklahoma, Kansas, and Texas.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the trans-

mission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 93318 (Sub No. 11), filed May 13, 1960. Applicant: JOE D. HUGHES, INC., P.O. Box 2143, Houston, Tex. Applicant's attorney: Ewell H. Muse. Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts. (1) Between points in Texas, Louisiana, and Mississippi. (2) Between points in Texas, Louisiana, and Mississippi, on the one hand, and, on the other, points in Georgia, Alabama, and Florida. (3) Between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana. (4) Between points in Alabama, Georgia, and Florida.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 101985 (Sub-No. 10), filed May 27, 1960. Applicant: E. L. BEAKLEY, doing business as BEAKLEY TRUCK-ING & DIRT CONTRACTOR, Borger, Tex. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between points in (1) Oklahoma and Kansas; (2) between points in Sherman, Moore, Potter, Carson, Hutchinson, Hansford, Ochiltree, Roberts, Gray, Wheeler, and Hemphill Counties, Tex., on the one hand, and, on the other, points in Cimarron, Beaver, and Texas Counties, Okla.; (3) between points in Texas within 100 miles of Pampa, Tex., including Pampa, those in Oklahoma within 30 miles of Sayre, Okla., including Sayre, those in Cimarron, Beaver, and Texas Counties, Okla., those in Lea and Eddy Counties, N. Mex., and points in Colorado and (4) between points in Oklahoma.

Note: The purpose of this application is to obtain authority to transport the involved

commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products or by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 103066 (Sub No. 17), May 27, 1960. Applicant: VAN STONE. doing business as STONE TRUCKING CO., P.O. Box 2014, 1516 West 49th Street, Tulsa, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier. by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in, or in connection with, the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between points in (1) Oklahoma, on the one hand, and, on the other, points in that part of Montana on and east of a line beginning at the Montana-Wyoming State Line near Alzada, and extending along U.S. Highway 212 to Miles City, thence along Montana Highway 22 to Jordan, thence northwesterly in a straight line to Malta, and thence along unnumbered highway (formerly Montana Highway 19) to the United States-Canada Boundary line, those in that part of North Dakota on and west of a line beginning at the United States-Canada Boundary line and extending along North Dakota Highway 30 through St. John, York, and Medina to Lehr, thence along unnumbered highway (formerly North Dakota Highway 30) to Ashley, and thence along North Dakota Highway 3 (formerly North Dakota Highway 30) to the North Dakota-South Dakota State line; and those in South Dakota west of the Missouri River and on and north of U.S. Highway 14; and (2) between points in Oklahoma, on the one hand, and, on the other, ports of entry on the United States-Canada Boundary line in Montana and North Dakota between Sweetgrass, Montana, and Pembina. North Dakota, both inclusive: (3) between points in Arkansas and Illinois, (4) between points in Arkansas and Illinois, on the one hand, and, on the other, points in Oklahoma, Texas, Kansas, New Mexico, and Louisiana; (5) between points in Kansas, Oklahoma, and Texas; (6) between points in Nevada, on the one hand, and, on the other, points in Kansas, Texas, and Oklahoma, and (7) beween points in Colorado, Kansas, and Nebraska.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products or by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of

natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 105045 (Sub No. 4), filed June 20, 1960. Applicant: R. L. JEFFRIES, ELEANOR JEFFRIES, CLYDE R. JEF-FRIES, JEAN M. JEFFRIES, ORVILLE E. JEFFRIES, AND LUCILLE E. JEF-FRIES, a Partnership, doing business as R. L. JEFFRIES TRUCKING COM-PANY, 201 Southeast First Street, Evansville, Ind. Applicant's attorney: Charles D. Mathews, Brown Building, P.O. Box 858, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between points in Indiana, Illinois, and Kentucky, on the one hand, and, on the other, points in Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Louisiana, Michigan, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, West Virginia, and Wisconsin. Between points in Indiana, Illinois, and Kentucky.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 106069 (Sub No. 8), filed May 13, 1960. Applicant: D. E. McALISTER, doing business as McALISTER TRUCK-ING CO., P.O. Box 839, 1618 S. Treadway Building, Abilene, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction operation, repair servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products. (1) Between points in Texas, Oklahoma, Louisiana, and New Mexico. (2) Between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 106379 (Sub No. 35), filed May 16, 1960. Applicant GULF SOUTH-WESTERN TRANSPORTATION COM-PANY, 5812 Brock Street, Houston, Tex. Applicant's attorney: Joe G. Fender, Melrose Building, Houston, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equip-ment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between (1) points in Arkansas, Louisiana, New Mexico, and Texas; (2) between points in Mississippi, Alabama, Georgia, and Florida; (3) between points in Alabama, Georgia, and Florida, on the one hand, and, on the other, points in New Mexico, Texas, Arkansas, and Louisiana; (4) between points in Texas, on the one hand, and, on the other, points in North Dakota on and west of a line beginning at the United States-Canada boundary line and extending along North Dakota Highway 30 through St. John, York, and Medina to Lehr, thence along unnumbered Highway to Ashley, and thence along North Dakota Highway 3 to the North Dakota-South Dakota state line, and those in South Dakota west of the Missouri River and on the north of U.S. Highway 14; and (5) between points in Kansas, Missouri, Nebraska, New Mexico, Oklahoma, and Texas.

Note: "The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. No extention of territorial authority is sought."

No. MC 106407 (Sub No. 15), filed May 13, 1960. Applicant: T. E. MERCER TRUCKING COMPANY, a Corporation, 920 North Main, Fort Worth, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum, or their products and by-products, (1) Between points in Arkansas, Kansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Texas. (2) Between Memphis, Tenn., and points in Oklahoma, on the one hand, and, on the other, points in Mississippi. (3) Between points in Mississippi, on the one hand, and, on the other, points in Texas, Arkansas, and Louisiana. (4) Between points in Louisiana, Arkansas, Kansas, Mississippi, New Mexico, Oklahoma, Texas, and Memphis, Tenn., on the one hand, and, on the other, points in Georgia, Alabama, and Florida. (5) Between points in Georgia, Alabama, and Florida. (6) Between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana. (7) Between points in Kansas and Colorado, on the one hand, and, on the other, points in New Mexico. (8) Between points in Texas, Oklahoma, Kansas, and New Mexico, on the one hand, and, on the other, points in Utah, Wyoming, Idaho, and Montana.

Note: Applicant states the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum, or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 106497 (Sub No. 17), filed May 13, 1960. Applicant: PARKHILL TRUCK COMPANY, a Corporation, P.O. Box 3807, Tulsa 33, Okla. Applicant's attorney: Carll V. Kretsinger, 1014–18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe, pipe line material, machinery, equipment and supplies incidental to and used in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, (1) between points in Arizona, Connecticut, Delaware, Idaho, Massachusetts, Maryland, Montana, Maine, New Hampshire, North Carolina, New Jersey, Nevada, Rhode Island, South Carolina, Utah, Vermont, and the District of Columbia. (2) Between points in Arizona, Connecticut, Delaware, Idaho, Massachusetts, Maryland, Montana, Maine, New Hampshire, North Carolina, New Jersey, Nevada, Rhode Island, South Carolina, Utah, Vermont, and the District of Columbia, on the one hand, and, on the other, points in Alabama, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, New York, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

No. MC 106509 (Sub No. 16), filed May 13, 1960. Applicant: YOUNGER BROS., doing business as J. M. ENGLISH TRUCK LINES, INC., 4904 Griggs Road, Houston, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-Brooks Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products. (1) Between points in Lea and Eddy Counties, N. Mex., and those in Texas, Oklahoma, Louisiana, Kansas, Mississippi, Alabama, Florida, and Georgia. (2) Between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, Montana, North Dakota, and South Dakota. (3) Between points in

Texas, Oklahoma, and Eddy Counties, N. Mex., on the one hand, and on the other, points in Nevada.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 106623 (Sub-No. 8), filed May 27, 1960. Applicant: SOUTHWEST OILFIELD TRANSPORTATION CO., P.O. Box 7427, Houston, Tex. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipelines, including the stringing and picking up thereof, other than pipe lines, used for the transmission of natural gas, petroleum or their products and by-products, between points in (1) Texas, Oklahoma, and Louisiana; (2) between points in Kansas and Oklahoma; (3) between points in Kansas, on the one hand, and, on the other, points in Louisiana, Oklahoma, and Texas, and (4) between points in Oklahoma, on the one hand, and, on the other, points in that part of Montana on and east of a line beginning at the Montana-Wyoming State Line near Alzada, Mont., and extending along U.S. Highway 212 to Miles City, Mont., thence along Montana Highway 22 to Jordan, Mont., thence northwesterly in a straight line to Malta, Mont., and thence along Montana Highway 19 to the Canadian boundary, those in that part of North Dakota on and west of North Dakota Highway 30, and those in South Dakota west of the Missouri River and on and north of U.S. Highway 14.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

No. MC 106775 (Sub No. 14) filed May 23, 1960. Applicant: HEAVY HAULERS, INC., 2701 Bataan, P.O. Box 267, Dallas, Tex. Applicant's attorney: James W. Hightower, 122 Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the

stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Arkansas, Louisiana, Mississippi, Oklahoma, and Texas; (2) between points in Kansas and Oklahoma; (3) between points in Texas, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana; and (4) between points in Oklahoma, on the one hand, and, on the other, points in North Dakota on and west of North Dakota Highway 30, and those in South Dakota west of the Missouri River and on and north of U.S. Highway 14.

Note: Applicant states that the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and byproducts; that it holds authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products; and that no extension of territorial authority is sought.

No. MC 106941 (Sub No. 2), filed June 20, 1960. Applicant: WILLIAM H. OTT. doing business as TEXAS HOT SHOT COMPANY, 3815 Irvington Boulevard, Houston 9, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines used for the transmission of natural gas and petroleum, and their products and by-products, (1) between Houston, Tex., on the one hand, and, on the other, points in Texas, and (2) between Houston, Tex., on the one hand, and, on the other, points in Louisiana and Oklahoma.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe line, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 107322 (Sub-No. 84); filed June 20, 1960. Applicant: BELL TRANSPOR-TATION COMPANY, INC., 1406 Hays Street, Houston, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operations, repair, servicing, maintenance and dismantling of pipe lines, including. the stringing and picking up thereof. other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between points in (1) Kansas, Oklahoma, Texas, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, North Carolina, Georgia, and Florida, traversing Missouri

and South Carolina for operating convenience only; (2) between Cisco, Tex., and points within 100 miles of Cisco, on the one hand, and, on the other, points in Lea and Eddy Counties, N. Mex.; (3) between points in Kentucky, South Carolina, Virginia, West Virginia, Ohio, Pennsylvania, and New York; (4) between points in Texas, Arkansas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, and North Carolina, on the one hand, and, on the other, points in Kentucky, South Carolina, Virginia, West Virginia, Ohio, Pennsylvania, and New York, traversing Maryland and the District of Columbia for operating convenience only; (5) between points in Wyoming, Montana, Utah, Colorado, North Dakota, South Dakota, and Nebraska; (6) between points in Nevada. on the one hand, and, on the other, points in Montana, Utah, and Wyoming, and (7) between points in Nevada, on the one hand, and, on the other, points in Kansas, Texas, and Oklahoma.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 107678 (Sub No. 28), filed May 16, 1960. Applicant: HILL & HILL TRUCK LINE, INC., 13019 Sarah Lane, Houston, Tex. Applicant's attorney: Joe G. Fender, Melrose Building, Houston, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in New Mexico, Oklahoma, Louisiana, Kansas, and Texas; (2) between Houston, Tex., on the one hand, and, on the other, points in Wyoming and Montana; (3) between points in Harris County, Tex., on the one hand, and, on the other, points in Colorado and Utah; (4) between points in Texas, on the one hand, and, on the other, points in North Dakota, on the West of North Dakota Highway 30, and those in South Dakota West of the Missouri River and on and North of U.S. Highway 14; (5) between points in Texas, except Houston, on the one hand, and, on the other, points in Montana, and Wyoming; (6) between points in Texas and Oklahoma, on the one hand, and, on the other, points in Nevada: and (7) between points in Alaska, on the one hand, and, on the other, points in Colorado, Kansas, Louisiana, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, and Wyoming.

Note: "The purpose of the application is to obtain authority to transport the involved commodities in connection with all

types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought."

No. MC 107993 (Sub No. 7), filed June 20, 1960. Applicant: J. J. WILLIS TRUCKING COMPANY, 306 East Second Street, Odessa, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies, used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas. petroleum or their products and byproducts, (1) between points in Louisiana, Texas, New Mexico, and Arizona. (2) Between points in Oklahoma, Kansas, and that part of Texas north of U.S. Highway 80 and west of U.S. Highway 75, including points on the indicated portion of the highways specified.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 109064 (Sub No. 7), filed June Applicant: TEX-O-KA-N 1960. TRANSPORTATION COMPANY, INC., 221 Northeast 28th Street, P.O. Box 4278. Fort Worth, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof, other than pipelines used for the transmission of natural gas, petroleum or their products and byproducts, between (1) points in that part of Texas on and north of a line beginning at El Paso, Tex., and extending along U.S. Highway 80 to Dallas, Tex., thence along U.S. Highway 175 to Jacksonville, Tex., and thence along U.S. Highway 79 to the Texas-Louisiana State line, on the one hand, and, on the other, points in Colorado, Wyoming, Utah, and Montana; (2) points in Oklahoma and Kansas, those in Lea and Eddy Counties, N. Mex., and those in Texas north of a line beginning at El Paso, Tex., and extending along U.S. Highway 80 to Dallas, Tex., thence along U.S. Highway 175 to Jacksonville, Tex., and thence along U.S. Highway 79 to the Texas-Louisiana State line, including points on the indicated portions of the highways specified; (3) between points in Arkansas, Louisiana. New Mexico, and Texas (except between points in Texas and New Mexico).

No. MC 109101 (Sub-No. 7), filed June 20, 1960. Applicant: J. H. MARKS TRUCKING, CO., INC., 2404 East Eighth

Street, Odessa, Tex. Applicant's attorney: Charles D. Mathews, Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas. petroleum or their products and by-products, (1) between points in New Mexico, Oklahoma, and that part of Texas west and south of a line extending in a southerly direction from the Oklahoma-Texas State Line along U.S. Highway 90 to Houston, including points on the above-specified highways; (2) between points in Lea and Eddy Counties, N. Mex., and those in that portion of Texas on and west of U.S. Highway 81, not including those in Bexar and Tarrant Counties, Tex.; (3) between points in that part of Texas on and west and south of a line beginning at the Texas-Oklahoma State Line, and extending along U.S. Highway 81 to San Antonio, Tex., thence along U.S. Highway 90 to Houston, Tex., and thence along U.S. Highway 75 to Galveston, Tex., on the one hand, and, on the other, points in Colorado, Utah, Wyoming, and Montana; (4) between points in New Mexico and Arizona, on and north of U.S. Highway 66, and (5) between points in Louisiana and Texas.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 109346 (Sub-No. 6), filed May 13, 1960. Applicant: J. L. COX & SON, INC., 9710 East 63d Street, Raytown, Applicant's attorney: Carll V. Kretsinger, Suite 1014-18 Temple Building, Kansas City 6, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Pipe, pipe line material, machinery, equipment, and supplies incidental to and used in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, (1) between points in Missouri, Texas, Oklahoma, Kansas, Iowa, Illinois, Indiana, and Ohio: (2) between points in Alabama, Arkansas. Colorado, Connecticut, Delaware, Florida, Georgia, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Montana, Nebraska, New Hampshire, New Jersey. New York, New Mexico, North Carolina. North Dakota, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, Virginia, Wisconsin, West Virginia, Wyoming, and the District of Columbia, (3) between points in Arizona, Idaho, Nevada, Oregon, and Washington and (4) between

points in Arizona, Idaho, Nevada, Oregon, and Washington, on the one hand, and, on the other, points in the remaining 45 states, and the District of Columbia, except, California, Alaska, and Hawaii.

No. MC 110817 (Sub-No. 9), filed June 16, 1960. Applicant: E. L. FARMER & COMPANY, a corporation, 300 South Grant, Odessa, Tex. Applicant's attorney: J. C. Ferguson, Brown Building, Austin, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in or in connection with the construction, operation, repair. servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Texas, Oklahoma, and Lea and Eddy Counties, N. Mex., on the one hand, and, on the other, points in Nevada; (2) between points in New Mexico, Texas, Oklahoma. and Kansas; (3) between points in Kansas, New Mexico, Oklahoma and Texas, on the one hand, and, on the other, points in Arizona, Colorado, Utah, and Wyoming; (4) between points in Texas, on the one hand, and, on the other, points in Montana; (5) between points in Alabama, Arkansas, Florida, Louisiana, and Texas and (6) between points in Mississippi, on the one hand, and, on the other, points in Alabama and Florida.

Note: The purpose of the application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought.

No. MC 110931 (Sub No. 8), filed June 16, 1960. Applicant: THOMAS MOTOR FREIGHT, INC., 1835 Proctor Street, Dallas 35, Tex. Applicant's attorney: Charles D. Mathews, P.O. Box 858, Austin 65, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials, and supplies used in or in connection with the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, between points in Arkansas, Illinois, Indiana, Kansas, Kentucky, Louisiana. Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

Note: Applicant states the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant has appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. Applicant fur-

ther states that no extension of territorial JACK E. TURNER AND E. E. TURNER, authority is sought.

No. MC 113459 (Sub No. 20) filed May 23, 1960. Applicant: H. J. JEFFRIES TRUCK LINE, INC., 4720 South Shields Boulevard, Oklahoma City 9, Okla. Applicant's attorney: James W. Hightower, 122 Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and byproducts, (1) between points in Oklahoma: (2) between points in Oklahoma, on the one hand, and, on the other, points in Illinois; (3) between points in. Oklahoma, Kansas, Texas, and Arkansas, and those in Lea and Eddy Counties, N. Mex.; (4) between points in Illinois south of U.S. Highway 36, those in Indiana south of a line beginning at the Indiana-Illinois State line and extending along U.S. Highway 36 to Indianapolis, thence along U.S. Highway 40 to the Indiana-Ohio State line, and those in Kentucky within 75 miles of Owensboro, Ky., including points on the indicated portions of the highways specified; (5) between points in Colorado, Kansas, Louisiana, Oklahoma, Texas, and Wyoming: (6) between points in Oklahoma, on the one hand, and, on the other, points in Montana, Nebraska, North Dakota, South Dakota, and Utah; (7) between points in Nevada, on the one hand, and, on the other, points in Wyoming, Colorado, Oklahoma and Texas; (8) from Fort Morgan, Colo., to points in Banner, Cheyenne, and Kimball Counties, Nebr., with no transportation for compensation on return except as otherwise authorized; (9) between Sterling, Colo., and points within 15 miles of Sterling, on the one hand, and, on the other, points in Banner, Cheyenne, and Kimball Counties, Nebr.; (10) from points in Ohio to points in Arkansas, Louisiana, New Mexico, Oklahoma, and Texas, with no transportation for compensation on return except as otherwise authorized; and (11) from Tulsa, Okla., to points in Ohio, with no transportation for compensation on return except as otherwise authorized.

Note: Applicant states on return trips it proposes to transport the same commodities except as shown in (7), (9) and (10) above and then only damaged or rejected shipments. Applicant further states that the purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products; that it holds authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products; and that no extension of territorial authority is sought.

No. MC 115603 (Sub No. 3), filed May 26, 1960. Applicant: JACK TURNER,

a partnership doing business as TUR-NER BROS. TRUCKING CO., 5501 South Hattie, Oklahoma City 9, Okla. Applicant's attorney: James W. Hightower, Suite 122, Wynnewood Professional Building, Dallas 24, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, machinery, and supplies used in, or in connection with, the discovery, development, production, refining, manufacture. processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and machinery, materials, equipment, and supplies used in, or in connection with the construction, operation, repair, servicing maintenance and dismantling of pipe lines, including the stringing and picking up thereof, except in connection with main or trunk pipe lines, between points in Apache, Navajo, Coconino, and Mohave Counties, Ariz.; Delta, Dolores, La Plata, Mesa, Montezuma, Montrose, Ouray, San Juan, and San Miguel Counties, Colo.; and, Beaver, Emery, Garfield, Grand, Iron, Kane, Piute, San Juan, Washington, and Wayne Counties, Utah.

No. MC 119176 (Sub No. 1), filed May 27, 1960. Applicant: THE SQUAW TRANSIT COMPANY, a Corporation, P.O. Box 9415, Tulsa 7, Okla. Applicant's attorney: W. T. Brunson, Leonhardt Building, Oklahoma City, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Machinery, equipment, materials and supplies used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, other than pipe lines used for the transmission of natural gas, petroleum or their products and by-products, (1) between points in Oklahoma. (2) Between points in Oklahoma, on the one hand, and, on the other, points in Colorado, Kansas, and Nebraska. (3) Between Coffeyville, Kans., and Bartlesville and Tulsa, Okla., on the one hand, and, on the other, points in Arkansas, Illinois, Indiana, Kentucky, Louisiana, Missouri, New Mexico, Ohio, and Texas. (4) Between Houston, Tex., on the one hand, and, on the other, points in Arkansas, Colorado, Illinois, Indiana, Kansas, Kentucky, Louisiana, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, and Texas. (5) Between points in Michigan, on the one hand, and, on the other. points in Illinois, Indiana, and Ohio.

Note: The purpose of this application is to obtain authority to transport the involved commodities in connection with all types of pipe lines, not limited to those for the transmission of natural gas, petroleum or their products and by-products. Applicant presently holds appropriate authority to transport the involved commodities in connection with pipe lines used for the transmission of natural gas, petroleum or their products and by-products. No extension of territorial authority is sought. Applicant proposes to operate between all points in the above territory traversing the gateways required to be observed in its present operations.

APPLICATIONS IN WHICH HANDLING WITH-OUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 9115 (Sub No. 49), filed June 1, 1960. Applicant: OREGON NEVADA CALIFORNIA FAST FREIGHT, INC., 1650 Industrial Road, San Carlos, Calif. Applicant's attorney: D. W. Markham, 2001 Massachusetts Avenue N.W., Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, livestock, commodities in bulk, and those requiring special equipment, between Junction U.S. Highway 40 and California Legislative Highway 90, and Junction U.S. Highway 99W and California Legislative Highway 90: from junction U.S. Highway 40 and California Legislative Highway 90, approximately 3 miles north east of Vacaville, Calif., over California Legislative Highway 90 to junction U.S. Highway 99W and California Legislative Highway 90 approximately 3 miles south of Dunnigan, Calif., and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, and with service at the terminal points for the purpose of joinder only with applicants otherwise authorized regular routes.

No. MC 30887 (Sub No. 97), filed June 23, 1960. Applicant: SHIPLEY TRANS-FER, INC., 534 Main Street., Reisterstown, Md. Applicant's representative: W. Wilson Corroum, 534 Main Street, Reisterstown, Md. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Aluminum chloride, in bulk, in dump-tank semi-trailers or hopper vehicles, from Lockport, N.Y., to Wilmington, Del., Carney's Point, Bound Brook, and Linden, N.J., Chester, Clairton, Philadelphia, Lock Haven, Pittsburgh, and West Elizabeth, Pa., Massena and Rensselaer, N.Y., Midland, Mich., Whiting, Ind., Charleston, W. Va., and ports of entry between the United States and Canada located at Buffalo and Alexandria Bay, N.Y., and Baltimore, Md.

No. MC 66562 (Sub No. 1685) (CLARI-FICATION), filed June 1, 1960, published in the FEDERAL REGISTER, issue of June 15, 1960. Applicant: RAILWAY EX-PRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: William H. Marx, Law Department, 219 East 42d Street, New York 17, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, including Classes A and B explosives, moving in express service, between New York, N.Y., and Brewster, N.Y., from New York over city streets to the New York State Thruway, thence north over the New York State Thruway to junction of Yonkers Avenue, thence north over New York Highway 100 to White Plains, N.Y., thence north over New York Highway 22 to Armonk, N.Y., thence north over New York Highway 128 to junction New

York Highway 117, thence north over New York Highway 117 to Mt. Kisco, N.Y., thence continue north over New York Highway 117 to Katonah, N.Y., thence east over New York Highway 35 to junction New York Highway 22, thence north over New York Highway 22 to junction U.S. Highway 6, thence west over U.S. Highway 6 to Brewster, and return over the same route, serving the intermediate points of Yonkers, White Plains, and Mt. Kisco, N.Y.; also the offroute point of Mt. Vernon, N.Y., over Yonkers Avenue, and return over the same route; and the off-route point of Tarrytown, N.Y., west over New York Highway 119 to junction U.S. Highway 9, thence north over U.S. Highway 9 to Tarrytown, and return over the same route. RESTRICTIONS: The service to be performed will be limited to that which is auxiliary to or supplemental of express service, and the shipments transported by applicant will be limited to those moving on a through bill of lading or express receipt, covering, in addition to the motor carrier movements by applicant, an immediately prior or an immediately subsequent movement by rail or air.

No. MC 66562 (Sub No. 1693), filed June 22, 1960. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: Robert C. Boozer, 1220 Citizens and Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a common carrier. by motor vehicle, over regular routes, transporting: General commodities, including Classes A and B explosives, moving in express service, between Macon, Ga., and Louisville, Ga., (1) from Macon over U.S. Highway 80 to Dublin, Ga., thence over U.S. Highway 319 to junction U.S. Highway 221, thence over U.S. Highway 221 to Louisville, and return over the same route, serving the intermediate points of Dry Branch, Jeffersonville, Allentown, Montrose, Dudley, Dublin, and Wrightsville, Ga.; and (2) from Louisville over U.S. Highway 1 to Swainsboro, Ga., thence over Georgia Highway 56 to junction U.S. Highway 221, thence over U.S. Highway 221 to Soperton, Ga., thence over Georgia Highway 29 to Dublin, and return over the same route, serving the intermediate points of Swainsboro and Soperton, Ga. RE-STRICTIONS: (1) The service to be performed by applicant shall be limited to service which is auxiliary or supplemental to air or rail express service of applicant. (2) Shipments transported by applicant shall be limited to those moving on a through bill of lading or express receipt covering, in addition to a motor carrier movement by applicant, an immediately prior or immediately subsequent movement by rail or air. (3) Such further specific conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operations to service which is auxiliary or supplemental to air or rail express service of applicant.

No. MC 66562 (Sub No. 1694), filed June 22, 1960. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Applicant's attorney: Robert C. Boozer, same address as applicant. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, including Classes A and B explosives, moving in express service, (1) between Fayetteville. Tenn., and junction U.S. Highway 64 with U.S. Highway 72 (4 miles west of Jasper, Tenn.), from Fayetteville over U.S. Highway 64 to junction U.S. Highway 64 with U.S. Highway 72, and return over the same route, serving the intermediate points of Winchester, Cowan, and Sewanee, Tenn. (2) Between Monteagle, Tenn., and junction Tennessee Highway 150 with Tennessee Highway 27, from Monteagle over Tennessee Highway 150 to junction Tennessee Highway 150 with Tennessee Highway 27, and return over the same route, serving the intermediate point of Tracy City, Tenn. (3) Between junction Tennessee Highway 27 with junction Tennessee Highway 28 and junction Tennessee Highway 27 with junction Tennessee Highway 8, from junction Tennessee Highway 27 with junction Tennessee Highway 28 Tennessee Highway 27 to junction Tennessee Highway 27 with Tennessee Highway 8, and return over the same route, serving no intermediate points. RE-STRICTION: The service to be performed by applicant shall be limited to service which is auxiliary or supplemental to air or rail express service of applicant. Shipments transported by applicant shall be limited to those moving on a through bill of lading or express receipt covering, in addition to a motor carrier movement by applicant, an immediately prior or immediately subsequent movement by rail or air. Such further specific conditions as the Commission in the future may find necessary to impose in order to restrict applicant's operations to service which is auxiliary or supplemental to air or rail express service of applicant.

No. MC 111159 (Sub No. 114), filed June 24, 1960. Applicant: MILLER TRANSPORTERS, LTD., P.O. Box 1123, Highway 80, West, Jackson, Miss. Applicant's attorney: Phineas Stevens, 700 Petroleum Building, P.O. Box 141, Jackson, Miss. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Tris hydroxymethyl aminomethane, in bulk, in tank vehicles, from Sterlington, La., to Torne Houte, Ind.

to Terre Haute, Ind.

No. MC 119758 (Sub No. 1), filed June 10, 1960. Applicant: ST. JOHNSBURY & LAMOILLE COUNTY RAILROAD, Morrisville, Vt. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, in substituted rail service, between Hardwick, Vt., and St. Albans, Vt.: from Hardwick over Vermont Highway 15 to junction of Vermont Highway 104, thence over Vermont Highway 104 to St. Albans, and return over the same route, serving the intermediate points of Morrisville and Johnson, Vt.

Note: Applicant states it proposes picking up freight arriving by rail at Central Vermont Railway's L. C. L. Transfer at St. Albans, Vt., and delivering to open stations Johnson, Morrisville, and Hardwick, Vt., and to deliver

for rail movement at St. Albans L.C.L. shipments from the stations named.

MOTOR CARRIER OF PASSENGERS

No. MC 106170 (Sub No. 5), filed June 28, 1960. Applicant: SCENIC TOURS, INC., doing business as THE GRAY LINE OF RENO, 1675 Mill Street, P.O. Box 2549, Reno, Nev. Applicant's attorney: Bertram S. Silver, 126 Post Street, Suite 600, San Francisco 8, Calif. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Passengers and their baggage, in special or charter op- · erations consisting of one-way or round trip sightseeing or pleasure tours, between points in Placer and Eldorado Counties, Calif. (within 20 miles of California Highway 89), points in Storey, Ormsby, Washoe, and Douglas Counties, Nev., except no pickup or discharge of passengers authorized at any point on U.S. Highway West of the junction of U.S. Highway 50 and California Highway 89.

Note: Applicant states duplicating rights not requested.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

No. MC 1263 (Sub No. 13), filed June 20, 1960. Applicant: McCARTY TRUCK LINE, INC., 729 West 15th Street, Trenton, Mo. Applicant's attorney: Frank W. Taylor, Jr., 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a common carrier, by motor vehicle, over regular and irregular routes, transporting: REGULAR ROUTES: General commodities, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment. and those injurious or contaminating to other lading, (1) between Kansas City, Mo., and South Lineville, Mo., from Kansas City over U.S. Highway 69 to junction Missouri Highway 6, thence over Missouri Highway 6 to junction U.S. Highway 65, thence over U.S. Highway 65 to South Lineville, and return over the same route. serving the intermediate points of North Kansas City, Mabel, Winston, Altamont, Gallatin, Jamesport, Edinburg, Trenton, Tindall, Spickard, Princeton, and Mercer, Mo.; (2) between St. Joseph, Mo., and South Lineville, Mo., from St. Joseph over U.S. Highway 36 to junction U.S. Highway 69, thence over U.S. Highway 69 to junction Missouri Highway 6. thence over Missouri Highway 6 to junction U.S. Highway 65, thence over U.S. Highway 65 to South Lineville, and return over the same route, serving the intermediate points of Mabel, Altamont, Gallatin, Winston, Jamesport, Edinburg, Trenton, Tindall, Spickard, Princeton, and Mercer, Mo.; (3) between Spickard, Mo., and Modena, Mo., from Spickard over U.S. Highway 65 to junction Mercer County Road "D", thence over Mercer County Road "D" to Modena, and return over the same route, serving the intermediate point of Mill Grove, Mo.; (4) between Princeton, Mo., and Mt. Moriah,

Mo., over U.S. Highway 136, serving no intermediate points; (5) between Princeton, Mo., and Cainsville, Mo., from Princeton over U.S. Highway 136 to junction Mercer County Road "B", thence over Mercer County Road "B" to junction unnumbered county road, thence over unnumbered county road to Cainsville, and return over the same route, serving no intermediate points; (6) between Mercer, Mo., and Powersville, Mo., over Mercer County Road "M", serving no intermediate points; (7) between Princeton, Mo., and Lucerne, Mo., over U.S. Highway 136, serving the intermediate point of Ravanna, Mo.; and (8) between Gallatin, Mo., and Mabel, Mo., over Missouri Highway 6, serving the intermediate points of Altamont and Winston, Mo.; AND OVER IRREGULAR ROUTES: General commodities, except those of unusual value. Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, from Princeton, Mercer, South Lineville, Cainsville, Mt. Moriah, Spickard, Ravanna, and Lucerne, Mo., to points in Missouri not on the regular route of an authorized motor carrier.

Note: This matter is directly related to MC-F 7534. Duplication with present authority to be eliminated.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 7580. Authority sought for control by SCHWERMAN TRUCKING CO., 620 South 29th Street, Milwaukee 46, Wis., of SCHWERMAN TRUCKING CO. OF ALABAMA, INC., 620 South 29th Street, Milwaukee 46, Wis., and for acquisition by FRED SCHWERMAN, SR., FRED J. SCHWERMAN, RICHARD D. SCHWERMAN and CARL L. SCHWER-MAN, all of Milwaukee, of control of SCHWERMAN TRUCKING CO. OF ALABAMA, INC., through the acquisition by SCHWERMAN TRUCKING CO. Applicant's attorney: James R. Ziperski, 620 South 29th Street, Milwaukee 46, Wis. Operating rights sought to be controlled: Authority applied for by SCHWERMAN TRUCKING CO. OF ALABAMA, INC., in a pending application (Docket No. MC 119572) covering the transportation of cement, in bulk and in packages, as a contract carrier over irregular routes, from the site of the Lone Star Cement Corporation plant located in or near North Birmingham, Ala., to points in Alabama, Mississippi, Tennessee, Georgia, Florida, North Carolina, and South Carolina, from the site of the Lone Star Cement Corporation plant located in or near Demopolis, Ala., to points in Alabama, Mississippi, Tennessee, Georgia, and Florida, and from the site of the

Alpha Portland Cement Company plant weight require special handling or riglocated in or near Birmingham, Ala., to points in Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida; empty containers or other such incidental facilities (not specified) used in transporting cement, from the above-specified destination points to the respective origin points. RESTRICTION: The above operations are to be performed under continuing contracts with the Lone Star Cement Corporation, New York, N.Y., and the Alpha Portland Cement Company, Easton, Pa. SCHWERMAN TRUCK-ING CO. is authorized to operate as a contract carrier in Wisconsin, Illinois and Indiana. Application has not been filed for temporary authority under Section 210a(b).

Note: This proceeding is assigned for hearing with No. MC 119752 before Examiner Hugh M. Nicholson on July 14, 1960, at the Hotel Thomas Jefferson, Birmingham,

No. MC-F-7582. Authority sought for control and merger by COURIER EXPRESS, INC., 115 Montgomery Street, Logansport, Ind., of the operating rights and property of SHORT LINE EXPRESS COMPANY, INC., 3107 South Main Street, South Bend 23, Ind., and for acquisition by PAUL ROBERT NEW-SOM, Box 358, Logansport, Ind., of control of such rights and property through the transaction. Applicants' attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Operating rights sought to be controlled and merged: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier, over regular routes, between Fort Wayne, Ind., and Chicago, Ill., serving certain intermediate and off-route points, between South Bend, Ind., and Valparaiso. Ind., serving the intermediate point of La Porte, Ind., and between Hammond, Ind., and the junction of U.S. Highways 41 and 6, and Indiana Highway 152, serving no intermediate points. COURIER EXPRESS, INC., is authorized to operate as a common carrier Indiana and Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC-F-7583. Authority sought for purchase by DALLAS & MAVIS FOR-WARDING CO., INC., 4000 West Sample Street, South Bend 21, Ind., of a portion of the operating rights of L. C. JONES TRUCKING COMPANY, 4300 S. E. 29th Street, Oklahoma City, Okla., and for acquisition by PAUL A. MAVIS, also of South Bend, Ind., of control of such rights through the purchase. Applicants' attorneys: Max G. Morgan, 443 American National Building, Oklahoma City, Okla., and Charles Pieroni, 4000 West Sample Street, South Bend 21, Ind. Operating rights sought to be transferred: Heavy machinery and oil field pipe and equipment, as a common carrier over irregular routes, between points in Illinois, on the one hand, and, on the other, points in Colorado, Kansas, Louisiana, New Mexico, Oklahoma, Texas, and Wyoming: machinery and machinery parts (other than oil-field machinery and parts therefor), which because of their size or ging, from Chicago, Ill., to points in Oklahoma and Texas, from points in Illinois, Missouri, Oklahoma, and Texas to points in Arkansas, Colorado, Kansas, and New Mexico, and between points in Missouri. Oklahoma, and Texas. Vendee is authorized to operate as a common carrier in 48 States and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-7584. Authority sought for control by BRADY MOTORFRATE, INC., Sixth Avenue at University, Des Moines 14, Iowa, of DAYS TRANSFER. INC., 730 East Beardsley, Elkhart, Ind., and for acquisition by JOHN J. BRADY. SR., 2 North 17th Street, Fort Dodge, Iowa, of control of DAYS TRANSFER, INC., through the acquisition by BRADY MOTORFRATE, INC. Applicants' attorney: Rex H. Fowler, 510 Central National Building, Des Moines 9, Iowa. Operating rights sought to be controlled: General commodities, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes, between South Bend, Ind., and Fort Wayne, Ind., serving the off-route point of Millersburg, Ind., between Bristol, Ind., and South Bend. Ind., between junction U.S. Highways 6 and 33 near Ligonier, Ind., and the Indiana-Ohio State line, between South Bend, Ind., and Chicago, Ill., serving the off-route points in the Chicago, Ill., Commercial Zone, as defined by the Commission in 1 M.C.C. 673, and all intermediate points, between Elkhart, Ind., and Ypsilanti, Mich., serving certain intermediate points, between Fort Wayne, Ind., and Auburn, Ind., serving all intermediate and certain off-route points, between Waterloo, Ind., and Fort Wayne, Ind., between Waterloo, Ind., and South Milford, Ind., between South Milford, Ind., and Kendallville, Ind., between Corunna, Ind., and junction Indiana Highway 327 and U.S. Highway 27, north of Garrett, Ind., serving all intermediate points, between Detroit, Mich., and Ann Arbor, Mich., serving all intermediate points, between Ann Arbor, Mich., and Hamburg, Mich., between Ann Arbor, Mich., and South Lyon, Mich., serving all intermediate points, between Valparaiso, Ind., and Chicago, Ill., serving all intermediate points, and off-route points within 25 miles of Chicago; over various alternate routes for operating convenience only; heavy machinery, over irregular routes, between points in Illinois, Indiana, and Michigan within 75 miles of Valparaiso, Ind., including Valparaiso, between Elkhart, Ind., on the one hand, and, on the other, Toledo, Ohio and Three Rivers and Constantine, Mich.; household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, between points in Elkhart County, Ind., on the one hand, and, on the other, points in Ohio, Michigan, and Illinois; chipboard, over regular routes, from Elkhart, Ind., to Chicago, Ill., scrap paper, in truckload lots, from Chicago, Ill., to Elkhart, Ind., serving the intermediate and offroute points in the Chicago, Ill., Commercial Zone, as defined by the Commission in 1 M.C.C. 673. BRADY

MOTORFRATE, INC., is authorized to operate as a common carrier in Iowa, Nebraska, Illinois, Kansas, Minnesota, Missouri, South Dakota, Indiana, and Ohio. Application has been filed for temporary authority under section 210a

By the Commission.

[SEAL]

HAROLD D. MCCOY. Secretary.

[F.R. Doc. 60-6237; Filed, July 6, 1960; 8:50 a.m.1

[Notice 342]

MOTOR CARRIER TRANSFER **PROCEEDINGS**

JULY 7, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 62427. By order of June 28. 1960, the Transfer Board approved the transfer to Ed Field and Richard Sheimo, doing business as Field and Sheimo, Hanlontown, Iowa, of Certificate No. MC 106085, issued June 11, 1946, to Kermit Kaasa, Hanlontown, Iowa, authorizing the transportation of: livestock, between Hanlontown, Iowa, and points within 15 miles of Hanlontown, on the one hand, and, on the other, Albert Lea, Austin, and South St. Paul, Minn.; and animal feeds, packinghouse tankage, bone meal, and meat scraps, from Albert Lea, Austin, and South St. Paul, Minn., to Hanlontown, Iowa, and points within 15 miles of Hanlontown.

No. MC-FC 62948. By order of June 28. 1960, the Transfer Board approved the transfer to Julius Crolle, doing business as Crolle Trucking, Wanaqua, New Jersey, of a portion of the operating rights in Certificate No. MC 26986 issued June 3. 1958 to Instant Express Co., Inc., Newark, New Jersey, which authorizes the transportation of general commodities, except household goods as defined by the Commission, commodities in bulk and other specified commodities between New York, N.Y., and points in Orange County, N.Y., on the one hand, and specified points in Passaic County, N.J. Bert Collins, 140 Cedar Street, New York, N.Y., for applicants.

No. MC-FC 63037. By order of June 29, 1960, the Transfer Board approved the transfer to Tony Hlavaty and-Oscar Helfrich, Jr., a partnership, doing business as St. Louis Transfer Co., Union Station, 20th and Market Streets, St. Louis, Mo., of Certificate No. MC 84791, issued September 30, 1958 to Edwin B.

Fels, Tony Hlavaty, and Oscar Helfrich, Jr., a partnership, doing business as St. Louis Transfer Co., Union Station, 20th and Market Streets. St. Louis, Mo., authorizing the transportation of: baggage, between Union Station in St. Louis, Mo., on the one hand, and, on the other, points in St. Louis, Mo.-East St. Louis, Ill., Commercial Zone and points in Missouri within 10 miles of St. Louis.

No. MC-FC 63215. By order of June 29, 1960, the Transfer Board approved the transfer to Skyline Transport, Inc., Salt Lake City, Utah, of Certificate No. MC 112077 Sub 1, issued February 28, 1958, to J. Wesley Oliver, Inc., Moab, Utah, authorizing the transportation of: uranium and vanadium ores, in bulk, from points in San Juan County, Utah, to Naturita, Durango, and Uravan, Colo., and uranium ore, from points in Garfield County, Utah, to Naturita, Durango, and Uravan, Colo. M. Scott Woodland, 65 South Main Street, Suite 300, Salt Lake City, Utah, for applicants.

No. MC-FC 63226. By order of June 28, 1960, the Transfer Board approved the transfer to Smith Transportation Co., a corporation, Santa Maria, Calif., of Certificate in No. MC 85205, issued May 11, 1949, to George C. Smith, Jr., doing business as Smith Transportation Co., Santa Maria, Calif., authorizing the transportation of: beans, asphalt and asphalt products, sugar, flour, fertilizer, fresh vegetables, onions, potatoes, pipe and pipe paint, and seed, from, to, or between specified points in California. R. Y. Schureman, 639 South Spring Street, Los Angeles 14, Calif., for appli-

No. MC-FC 63240. By order of June 28, 1960, the Transfer Board approved the transfer to G. E. Groeger Truck Line, Inc., Walton, Kentucky, of Certificate in No. MC 39763, issued June 10, 1948, to G. E. Groeger, doing business as G. E. Groeger Truck Line, Walton, Kentucky, which authorizes the transportation over regular routes of general commodities. except household goods, as defined by the Commission, commodities in bulk, and other specified commodities, between Walton, Ky., and Cincinnati, Ohio, and a point on Oak Island Road six miles east of Kentucky Highway 17, with service to and from all intermediate points on the regular routes, and the off-route points within three miles of such routes. and the off-route points in Ohio within 10 miles of Cincinnati. Harry McChesney, Jr., McChesney, Kinker and Pearce, Seventh Floor, McClure Building, Frankfort, Ky., for applicants.

No. MC-FC 63245. By order of June 28, 1960, the Transfer Board approved the transfer to James T. Collingwood, Home Road, Sheffield, Mass., of Certificate in No. MC 69656, issued May 22, 1941 to Dominick F. Russo, 115 Cheshire Road, Pittsfield, Mass., authorizing the transportation of: road building and grading materials and machinery, between points in Berkshire County, Mass., on the one hand, and, on the other, points in Litchfield County, Conn., Columbia and Rensselaer Counties, N.Y.,

and Bennington County, Vt.

No. MC-FC 63332. By order of June 28, 1960, the Transfer Board approved

the transfer to Otto Jurena, doing business as Crete-Wilber Freight Lines, Omaha, Nebr., of Certificate in No. MC 98513 Sub 1, issued May 29, 1958, to Norman J. Rezny and Norman B. Slepicka, a partnership, doing business as Crete-Wilber Freight Lines, Wilber, Nebr., authorizing the transportation of: general commodities, excluding house-hold goods, commodities in bulk, and other specified commodities, between Wilber, Nebr., and Omaha, Nebr., serving the intermediate points of Crete, and Lincoln, Nebr., and the off-route points of Clatonia, De Witt, Roca, Martell, Sprague, Hallam, Denton, and Kramer, Nebr., and Council Bluffs, Iowa. J. Max Harding, Nelson, Harding & Acklie, 605 South 12th Street, Lincoln, Nebr., for Transferor. Everett C. Pilcher, Story, Pilcher & Howard, 3801 Harney, Omaha.

Nebr., for Transferees.
No. MC-FC 63343. By order of June 28, 1960, the Transfer Board approved the transfer to Studer Truck Line, Inc., Beattie, Kans., of Certificate in No. MC 33037 issued June 19, 1957, to Francis Studer and Merlin Studer, a partnership, doing business as Studer Truck Line, Beattie, Kans., authorizing the transportation of: livestock, agricultural commodities, and containers for molasses and petroleum products, from Beattie, Kans., and points in Kansas and Nebraska within 15 miles of Beattie to St. Joseph, Mo.; livestock, feed, seeds, building materials, agricultural implements and parts, binder twine, coal, fencing materials, and petroleum products in containers, from St. Joseph, Mo., to Beattie, Kans., and points in Kansas and Nebraska; livestock, feed, agricultural implements and parts, and fencing materials, from Kansas City, Kans., and Kansas City, Mo., to Beattie, Kans., and points in Kansas and Nebraska: building materials, between Beattie, Kans., and points in Kansas and Nebraska within 15 miles of Beattie, on the one hand, and, on the other, Kansas City and North Kansas City, Mo.; mill feed, between Beattie, Kans., and points in Kansas and Nebraska within 15 miles of Beattie, on the one hand, and, on the other, North Kansas City, Mo., and Omaha and Humboldt, Nebr.; commercial fertilizer, between Beattie, Kans., and points in Kansas and Nebraska within 15 miles of Beattie, on the one hand, and, on the other, Kansas City and St. Joseph, Mo.; livestock, between points in Kansas, Nebraska and Missouri; livestock, grain, wood, household goods, wooden posts, and farm machinery, between points in Pawnee County, Nebr., on the one hand, and, on the other, points in Nemaha County, Kans.; processed mill feeds and dry commercial fertilizer, in bulk and in containers, from Marysville, Kans. to points in Nebraska; the substitution of transferee for transferor in No. MC 33037 Sub 5. Townsend, Jandera & Hope, Attorneys, 641 Harrison Street, Topeka,

Kans., for applicants. No. MC-FC 63363. By order of June 28. 1960, the Transfer Board approved the transfer to Ralph H. Burns & Sons, Inc., Hillsboro, West Virginia, of Certificates Nos. MC 113063, MC 113063 Sub 1 and MC 113063 Sub 2, issued February

9, 1953, July 8, 1954, and December 29, 1954, in the name of Ralph H. Burns, Hillsboro, West Virginia, authorizing the transportation of petroleum and petroleum products, in bulk, in tank vehicles, from Baltimore, Md., to points in Pocahontas County, W. Va.; household goods between points in Pocahontas County, W. Va., on the one hand, and, on the other, points in Pennsylvania, Maryland, Virginia, and the District of Columbia; and fertilizer, from Harrisonburg, Va., and points within one mile thereof, to points in Pocahontas County, W. Va., and from Harrisonburg, Va., to points in Braxton, Clay, Doddridge, Gilmer, Grant, Greenbrier, Hardy, Harrison, Jackson, Lewis, Marion, Monongalia, Nicholas, Pendleton, Pleasants, Preston, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Webster, Wirt and Wood Counties, W. Va., with no transportation for compensation on return. Arden J. Curry, Kanawha Valley Building, Charleston 1, W. Va., for applicants.

No. MC-FC 63369. By order of June 28, 1960, the Transfer Board approved the transfer to James Transfer & Storage Co., a corporation, San Jose, Calif., of Certificate No. MC 72036, issued April 14, 1942, in the name of W. Ray James, Effie M. James, Willma M. Forward, and E. Estelle Estensen, a partnership, doing business as James Transfer & Storage Company, San Jose, California, authorizing the transportation of general commodities, excluding household goods, commodities in bulk, and various specified commodities, over irregular routes, between points within 5 miles of San Jose, including San Jose; and of household goods between points within 30 miles of San Jose, Calif., including San Jose. Karl K. Roos, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif., for applicants.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-6238; Filed, July 6, 1960; 8:50 a.m.]

FOR RELIEF

JULY 1, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36366: Silica sand—Western trunk line to southwestern territory. Filed by Southwestern Freight Bureau, Agent (No. B-7837), for interested rail carriers. Rates on silica sand, in carloads, as described in the application from points in western trunk line territory, also specified points in Illinois, Indiana and Kentucky to points in southwestern territory.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement No. 62 to Southwestern Freight Bureau tariff I.C.C. 4319. FSA No. 36367: Ferro alloys to Bridgeport, Conn. Filed by Traffic Executive Association-Eastern Railroads, Agent (ER No. 2546), for interested rail carriers. Rates on ferro chrome, ferro silicon, ferro manganese and silico manganese, in carloads from specified points in New York, Ohio, Pennsylvania, Virginia and West Virginia to Bridgeport, Conn.

Grounds for relief: Market competition.

Tariffs: Supplement 221 to Chesapeake & Ohio Railway tariff I.C.C. 13166 and 8 other schedules described in appendix "A" to the application.

FSA No. 36368: Barytes—Kentucky to to Louisiana points. Filed by O. W. South, Jr., Agent (SFA No. A3976), for interested rail carriers. Rates on barite (barytes), in carloads from Crider, Marion and Mexico, Ky., to Cecelia, Church Point, Elton, Eunice and Opelousas, La.

Grounds for relief: Market competition.

Tariff: Supplement 22 to Southern Freight Association tariff I.C.C. S-29.

FSA No. 36369: Screened gravel—Vincennes, Ind., to Altamont, Ill. Filed by Illinois Freight Association, Agent (IFA No. 103), for and on behalf of The Baltimore and Ohio Railroad Company. Rates on screened gravel, in carloads, from Vincennes, Ind., to Altamont, Ill.

Grounds for relief: Motor-truck com-

Tariff: Supplement 101 to Baltimore and Ohio Railroad tariff I.C.C. 24048.

By the Commission.

[SEAL]

HAROLD D. McCoy, Secretary.

[F.R. Doc. 60-6235; Filed, July 6, 1960; 8:50 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Group 329]

ARIZONA

Notice of Filing of Plats of Survey and Order Providing for Opening of Public Lands

JUNE 27, 1960.

1. Pursuant to authority delegated by BLM Order No. 541 dated April 21, 1954 (19 F.R. 2473), as amended, notice is hereby given that the plats of survey accepted November 18, 1959, of T. 13 N., R. 11 W., and T. 13 N., R. 12 W., G. & S. R. Mer., Arizona, including lands hereinafter described, will be officially filed in the Land Office at Phoenix, Arizona, effective at 10:00 a.m. on the 35th day after the date of this notice:

GILA AND SALT RIVER MERIDIAN, ARIZONA

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T. 13 N., R. 11 W.,
Sec. 1 Lots 1, 2, 3, 4, S½N½, S½;
Sec. 2 Lots 1, 2, 3, 4, S½N½, S½;
Sec. 3 Lots 1, 2, 3, 4, S½N½, S½;
Sec. 4 Lots 1, 2, 3, 4, S½N½, S½;
Sec. 5 Lots 1, 2, 3, 4, S½N½, S½;
Sec. 6 Lots 1, 2, 3, 4, 5½, N½, S½;
Sec. 6 Lots 1, 2, 3, 4, 5, 6, 7, S½NE¾,
SE¼NW¼, E½SW¼, SE¼;
Sec. 7 Lots 1, 2, 3, 4, E½W½, E½;
Sec. 8 All;
Sec. 9 All;
Sec. 10 All;
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Sec. 13 All:
  Sec. 14 All;
  Sec. 15 All;
   Sec. 16 All;
  Sec. 17 All;
  Sec. 18 Lots 1, 2, 3, 4, E1/2 W1/2, E1/2;
  Sec. 19 Lots 1, 2, 3, 4, E½W½, E½;
  Sec. 20 All;
  Sec. 21 All;
  Sec. 22 All;
  Sec. 23 All:
  Sec. 24 All:
  Sec. 25 All;
  Sec. 26 All;
  Sec. 27 All;
  Sec. 28 All;
  Sec. 29 All:
  Sec. 30 Lots 1, 2, 3, 4, E1/2 W1/2, E1/2;
  Sec. 31 Lots 1, 2, 3, 4, E1/2 W1/2, E1/2:
  Sec. 33 All;
  Sec. 34 All;
  Sec. 35 All:
  Sec. 36 All.
T. 13 N., R. 12 W.,
  Sec. 1 Lots 1, 2, 3, 4, S½ N½, S½;

Sec. 2 Lots 1, 2, 3, 4, S½ N½, S½;

Sec. 3 Lots 1, 2, 3, 4, S½ N½, S½;

Sec. 4 Lots 1, 2, 3, 4, S½ N½, S½; exclusive
     of M.S. 4315A and B;
  Sec. 9 All;
  Sec. 10 All;
  Sec. 11 All;
Sec. 12 All;
  Sec. 13 All;
  Sec. 14 All;
  Sec. 15 All;
  Sec. 16 All:
  Sec. 21 All:
  Sec. 22 All:
  Sec. 23 All;
  Sec. 24 All;
  Sec. 25 All;
  Sec. 26 All:
  Sec. 27 All:
  Sec. 28 All;
  Sec. 33 All;
  Sec. 34 All;
  Sec. 35 All;
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Sec. 11 All;

Sec. 12 All:

Within the above-described areas are 38,342.22 acres.

Sec. 36 All.

2. The S½SE¼SW¼ Sec. 1, SW¼ SE¼ north of highway, NE¼SW¼SW¼SW¼ south of highway Sec. 2, SW¾NE¼NE¼, N½NW¼SE¼NE¼, Sec. 10, NE¼NW¼, W½SW¼NE¼NE¼, and the E½SE¼ NW¼NE¼ north of highway, Sec. 12, T. 13 N., R. 11 W., are within material sites approved to the Arizona Highway Department under section 17 of the Act of November 9, 1921. Small tract applications cannot be filed on these lands.

3. Patented Mineral Surveys 4315 A and B, State Lode and State Mill site, are situated in the SE1/4 Sec. 4, T. 13 N., R. 12 W.

4. Except for lands described above which are not subject to small tract applications and the lands embraced within patented mineral surveys 4315 A and B, which are not subject to any type of application, the above lands are open to application, location, selection and petition as outlined below. No application for these lands will be allowed under the Homestead, Desert Land, Small Tract or any other non-mineral land law, unless the lands have already been classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

5. The south half of T. 13 N., R. 11 W. is high, rocky ridges and deep, dry The north half is low, rolling, washes. rocky ridges and sandy washes. The soil is sandy and rocky and very poor. The land in T. 13 N., R. 12 W. is principally rough and broken mountains. The soil is mostly sandy, with numerous rock outcrops.

6. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 1 hereof, are hereby opened to filing applications, selections, and locations in ac-

cordance with the following:

a. Applications and selections under the non-mineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims men-

tioned in this paragraph.

(2) All valid applications and selections under the non-mineral public land laws and applications and offers under the mineral leasing laws presented prior to 10:00 a.m. on August 2, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections and offers filed after that hour will be governed by the time of

Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

> ROY T. HELMANDOLLAR, Manager.

[F.R. Doc. 60-6215; Filed, July 6, 1960; 8:48 a.m.]

Office of the Secretary

VIRGIN ISLANDS NATIONAL PARK

Order of Designation

Whereas, pursuant to the act of August 2, 1956 (70 Stat. 940), a designation was made on November 15, 1956, of the tentative exterior boundary lines of the Virgin Islands National Park comprising a total of not more than 9.500 acres of land, as shown on Drawing No. NP-VI-7000 entitled "Acquisition Areas Virgin Islands National Park"; and

Whereas, by reason of acceptance of two deeds on December 1, 1956, on behalf of the United States, notice of the establishment of the Virgin Islands National Park was published in the FEDERAL REG-ISTER on December 29, 1956, as required by the act of August 2, 1956; and

Whereas said notice provides that notices of subsequent adjustments of the Virgin Islands National Park boundary shall be published in like manner; and

Whereas the hereinafter described land is needed for park purposes and will be donated to the United States, and it is, therefore, necessary and desirable that the park area as heretofore designated be adjusted to include said additional land in the Virgin Islands National

Parcel No. 12A, Estate Caneel Bay, No. 8 Cruz Bay Quarter, St. John, Virgin Islands, described as follows:

Beginning at bound post No. 986, the line runs South 85°20' West a distance of 20.0 feet, more or less, along Lot F, Cruz Bay, to a point; thence in the same direction a distance of 285.6 feet, more or less, along Lot E, Cruz Bay, to a point; thence turning and running South 40°28' West a distance of 96.9 feet, more or less, along Lot E, Cruz Bay, to a point; thence turning and running in a general easterly direction a distance of Ca 7 feet, along Lot E, Cruz Bay, to a point; thence turning and running in a general southerly, westerly, and northerly direction a distance of Ca 160 feet, along the sea, to a point; thence turning and running North 62°38' East a distance of Ca 22 feet, along Parcel No. 12, to a bound post; thence in the same direction a distance of 135.5 feet, more or less, along Parcel No. 12, to a bound post; thence in the same direction a distance of 247.67 feet, more or less, along Parcel No. 12, to a bound post; thence turning and running South 87°31' East a distance of 225.0 feet, more or less, along Parcel No. 12, to a bound post; thence turning and running South 33°46' East a distance of 164.0 feet, more or less, along Parcel No. 12 to a point on the right-of-way from Cruz Bay to Caneel Bay; thence turning and running in a general southwesterly direction a distance of Ca 8 feet, along the right-of-way, to a point on the northern boundary of Parcel No. 18B Estate Enighed; thence turning and running South 85°20' West a distance of 12.0 feet, more or less, along said Parcel 18B, to a bound post; thence in the same direction a distance of 226.0 feet, more or less, along Parcel No. 18A Estate Enighed, to B.P. 986, the point of beginning.

The above bounded tract contains 1.97 acres, more or less.

Parcel No. 18A, Estate Enighed, No. 1 Cruz Bay Quarter, St. John, Virgin Islands, described as follows:

Beginning at the northwest corner of Parcel No. 18A, which point is also B.P. 986; thence South 87°42′ East 226.0± feet to a point: thence South 69°42' West 131.0 + feet to a point; thence South 58°50' West 175.0± feet to the southerly corner of said Parcel No. 18A; thence in a northerly direction along the east right-of-way line of the old road for Ca 160 feet to B.P. 986, the point of beginning.

The above bounded tract contains 0.32 acre, more or less.

Lot E, Cruz Bay, St. John, Virgin Islands, with the following metes and bounds:

Beginning at a point located North '87°42' West and a distance of 20.0 feet from B.P. 986

the line runs South 18°10' West along the old road to Caneel Bay a distance of 105.1 feet, more or less, to a point; thence turning North 85°42' West a distance of 143 feet, more or less, to the sea; thence turning along the sea in a general westerly direction a distance of 166 feet, more or less, to a point; thence turning North 33°30' East a distance of 96.9 feet, more or less, to a point; thence turning South 87°42' East along Estate Caneel Bay a distance of 285.6 feet, more or less, to the point of beginning.

The above bounded tract contains 0.63 acre, more or less.

Lot F, Cruz Bay, St. John, Virgin Islands, with the following metes and bounds:

Beginning at B.P. 986, the line runs in a general southerly direction along Parcel No. 18A Estate Enighed a distance of Ca 160 feet to a bound post; thence turning and running South 58°50' West a distance of 92.0 feet, more or less, along the public road, to a point; thence turning and running North 58°50' West a distance of 20.0 feet, more or less, along Government land to a point; thence turning and running North 25°45' East a distance of 4.0 feet, more or less, to a point; thence turning and running North 19°15' West a distance of 95.0 feet, more or less, to a point on the southern boundary of Lot E; thence turning and running South 85°42' East a distance of 121 feet, more or less, along Lot E, to a point; thence turning and running North 18°10' East a distance of 105.1 feet, more or less, along Lot E, to a point; thence turning and running South 87°42' East a distance of 20.0 feet, more or less, along Parcel No. 12A Estate Caneel Bay, to the point of beginning.

The above bounded tract contains 0.27 acre, more or less.

The above parcels and lots aggregate 3.19 acres of land, more or less.

Now, therefore, notice is hereby given that the existing boundary of the Virgin Islands National Park is hereby adjusted so as to include therein the above described land.

ROGER ERNST. Assistant Secretary of the Interior. JUNE 29, 1960.

[F.R. Doc. 60-6218; Filed, July 6, 1960; 8:48 a.m.]

OFFICE OF CIVIL AND DEFENSE **MOBILIZATION**

MISSOURI

Notice of Major Disaster; Amendment

Notice of Major Disaster, published June 18, 1960, for the State of Missouri (25 F.R. 5556) is hereby amended to include the following among those counties determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of April 20, 1960:

Knox.

Pettis. Vernon.

Morgan.

Dated: June 24, 1960.

LEO A. HOEGH, Director.

[F.R. Doc. 60-6201; Filed, July 6, 1960; 8:45 a.m.]

Title 2—THE CONGRESS

ACTS APPROVED BY THE PRESIDENT

EDITORIAL NOTE: During the current recess of the Congress a listing of public laws approved by the President will appear in the Federal Register under Title 2—The Congress.

Approved July 5, 1960

- S. 1018——————Public Law 86-570
 An Act to authorize and direct the transfer of certain personal property to State and county agencies engaged in cooperative agricultural extension work.
- S. 2053_____Public Law 86-572
 An Act to provide for the acceptance by
 the United States of a fish hatchery in
 the State of South Carolina.
- S. 2174_____Public Law 86-573

 An Act to permit the filing of applications for patents to certain lands in Florida.
- S. 2331_____Public Law 86-571
 An Act to provide for the hospitalization at Saint Elizabeths Hospital in the District of Columbia or elsewhere, of certain nationals of the United States adjudged insane or otherwise found mentally ill in foreign countries, and for other purposes.
- S. 2481______Public Law 86-577
 An Act to continue the application of the Merchant Marine Act of 1936, as amended, to certain functions relating to fishing vessels transferred to the Secretary of the Interior, and for other purposes.
- S. 2618_____Public Law 86-575 An Act to authorize the exchange of certain war-built vessels for more modern and efficient war-built vessels owned by the United States.

- S. 3189_____Public Law 86-583
 An Act to further amend the shipping laws to prohibit operation in the coastwise trade of a rebuilt vessel unless the entire rebuilding is effected within the United States, and for other purposes.
- S. 3226.....Public Law 86-578
 An Act to amend section 809 of the
 National Housing Act.
- S. 3485______Public Law 86-587
 An Act to amend section 7 of the Administrative Expenses Act of 1946, as amended, to provide for the payment of travel and transportation cost for persons selected for appointment to certain positions in the United States, and for other purposes.
- H.R. 1844______Public Law 86-579
 An Act to amend the "Life Insurance
 Act" of the District of Columbia approved June 19, 1934, as amended by the
 Acts of July 2, 1940, and July 12, 1950.
- H.R. 4786______Public Law 86-581
 An Act declaring certain lands to be held
 in trust for the Cheyenne River Sioux
 Tribe of Indians of South Dakota.
- H.R. 5569______Public Law 86-582
 An Act to amend title 10, United States
 Code, to authorize the award of certain
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 that because of loss or inadvertence the
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- H.R. 8226_____Public Law 86-580
 An Act to add certain lands to Castillo de
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- H.R. 8315______Public Law 86-574
 An Act to authorize the Secretary of the
 Army to lease a portion of Fort Crowder,
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- H.R. 8740 Public Law 86-576

 An Act to provide for the leasing of oil and gas interests in certain lands owned by the United States in the State of Texas.
- H.R. 9541.....Public Law 86-591
 An Act to amend section 109(g) of the Federal Property and Administrative Services Act of 1949.
- H.R. 9921_____Public Law 86-586
 An Act to validate certain payments of additional pay for sea duty made to members and former members of the United States Coast Guard.
- H.R. 10021_____Public Law 86-584
 An Act providing a uniform law for the transfer of securities to and by fiduciaries in the District of Columbia.
- H.R. 10108_____Public Law 86-590
 An Act to authorize reimbursement of
 certain Veterans' Administration beneficiaries and their attendants for ferry
 fares, and bridge, road, and tunnel toils.
- H.R. 10695______Public Law 86-585
 An Act to provide for the rotation in overseas assignments of civilian employees under the Defense Establishment having career-conditional and career appointments in the competitive civil service, and for other purposes.
- H.R. 12265—————Public Law 86-589
 An Act to amend title 10, United States
 Code, to authorize certain persons to administer oaths and to perform notarial
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 by, or accompanying the Armed Forces
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CUMULATIVE CODIFICATION GUIDE—JULY

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Announcement

CFR SUPPLEMENTS

(As of January 1, 1960)

The following Supplements are now available:

Title 14, Part 400 to End \$1.75

Title 46, Parts146—149 (1960 Supp. 1)
\$0.55

Previously announced: Title 3 (\$0.60); Titles 4-5 (\$1.00); Title 7, Parts 1–50 (\$0.45); Parts 51–52 (\$0.45); Parts 53–209 (\$0.40); Parts 210–399, Revised (\$4.00); Parts 400-899, Revised, (\$5.50); Parts 900-959 (\$1.50); Part 960 to End (\$2.50); Title 8 (\$0.40); Title 9 (\$0.35); Titles 10—13 (\$0.50); Title 14, Parts 1-39 (\$0.65); Parts 40-399 (\$0.75); Title 15 (\$1.25); Title 16, Revised (\$6.50); Title 17 (\$0.75); Title 18 (\$0.55); Title 19 (\$1.00); Title 20 (\$1.25); Title 21 (\$1.50); Titles 22-23 (\$0.45); Title 24 (\$0.45); Title 25 (\$0.45); Title 26 (1939), Parts 1-79 (\$0.40); Parts 80-169 (\$0.35); Parts 170-182 (\$0.35); Parts 300 to End (\$0.40); Title 26, Part 1 (\$\$ 1.01-1.499) (\$1.75); Parts 1 (§ 1.500 to End)-19 (\$2.25); Parts 20-169 (\$1.75); Parts 170-221 (\$2.25); Part 300 to End (\$1.25); Titles 28-29 (\$1.75); Titles 30-31 (\$0.50); Title 32, Parts 1-399 (\$2.00); Parts 400-699 (\$2.00); Parts 700-799 (\$1.00); Parts 800-999, Revised (\$3.75); Parts 1000-1099, Revised (\$6.50); Part 1100 to End (\$0.60); Title 33 (\$1.75); Title 35, Revised (\$3.50); Title 36, Revised (\$3.00); Title 37, Revised (\$3.50); Title 38 (\$1.00); Title 39 (\$1.50); Title 42, Revised (\$4.00); Title 43 (\$1.00); Title 46, Parts 1-145 (\$1.00); Parts 146-149, Revised (\$6.00); Part 150 to End (\$0.65); Title 47, Parts 1-29 (\$1.00); Part 30 to End (\$0.30); Title 49, Parts 1-70 (\$1.75); Parts 71-90 (\$1.00); Parts 91-164 (\$0.45); Part 165 to End (\$1.00); Title 50 (\$0.70).

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